






Centralized National Risk Assessment for Estonia

FSC-CNRA-EE V1-0 EN

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| Title: | Centralized National Risk Assessment for Estonia |
| Document reference code: | FSC-CNRA-EE V1-0 EN |
| Approval body: | FSC International Center: Policy and Standards Unit |
| Date of approval: | 20 September 2017 |
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Risk assessments that have been finalized for Estonia

| Controlled Wood categories | | Risk assessment completed? |
|-----------------------------------|--|-----------------------------------|
| 1 | Illegally harvested wood | YES |
| 2 | Wood harvested in violation of traditional and human rights | YES |
| 3 | Wood from forests where high conservation values are threatened by management activities | YES |
| 4 | Wood from forests being converted to plantations or non-forest use | YES |
| 5 | Wood from forests in which genetically modified trees are planted | YES |

Risk designations in finalized risk assessments for Estonia

| Indicator | Risk designation (including functional scale when relevant) |
|--|---|
| Controlled wood category 1: Illegally harvested wood | |
| 1.1 | Low risk |
| 1.2 | N/A |
| 1.3 | Low risk |
| 1.4 | Low risk |
| 1.5 | N/A |
| 1.6 | Low risk |
| 1.7 | Low risk |
| 1.8 | Low risk |
| 1.9 | Low risk |
| 1.10 | Low risk |
| 1.11 | Low risk |
| 1.12 | Low risk |
| 1.13 | Low risk |
| 1.14 | Low risk |
| 1.15 | N/A |
| 1.16 | Low risk |
| 1.17 | Low risk |
| 1.18 | Low risk |
| 1.19 | Low risk |
| 1.20 | N/A |
| 1.21 | Low risk |
| Controlled wood category 2: Wood harvested in violation of traditional and human rights | |
| 2.1 | Low risk |
| 2.2 | Specified risk |
| 2.3 | Low risk |
| Controlled wood category 3: Wood from forests where high conservation values are threatened by management activities | |
| 3.0 | Low risk |
| 3.1 | Low risk |
| 3.2 | Low risk |
| 3.3 | Specified risk |
| 3.4 | Low risk |
| 3.5 | Low risk |
| 3.6 | Specified risk |
| Controlled wood category 4: Wood from forests being converted to plantations or non-forest use | |
| 4.1 | Low risk |
| Controlled wood category 5: Wood from forests in which genetically modified trees are planted | |
| 5.1 | Low risk |

Risk assessments

Controlled wood category 1: Illegally harvested wood

Overview

The forest is defined in the Forest Act. There are three main forest categories: commercial forest, protection forest, and protected forests. There are private forests, municipality forests and state owned forests. State owned forests are managed by the State Forest Management Centre. Since the state owned forest is FSC and PEFC certified the risk level is considered low in there forests.

In private owned forests and municipality forests there are risks related to the health and safety and payment of VAT.

Overall the situation is more or less similar in private, municipality and state forests since in all of them most of the activities are done by private companies. In case of state forest the control over different activities is much better and in case of any violations the corrective action are done much quicker.

For felling the forest it is required that there is valid forest inventory or forest management plan available and also a felling permit issued by the Environmental Board. The Forest Act does not apply for the separate forest areas smaller than 0, 5 hectare. It is allowed to cut up to 20 cubic meters of timber per forest management unit (FMU) without the felling permit.

In case forest owner want to cut forest more than 20 cubic meters per FMU he/she must fill a felling permit and sent it to the Environmental board for approval. It can be done on paper or electronically. After approval by the Environmental Board the felling permit is valid for 12 months. All issued felling permits and also forest inventory data is available in a public forest registry.

The Environmental Inspectorate is responsible for controlling fulfillment of the requirements stated in the Forest Act.

Sources of legal timber in Estonia

| Forest classification type | Permit/license type | Main license requirements (forest management plan, harvest plan or similar?) | Clarification |
|--|---|--|---|
| State forest | Felling permit and waybill (compulsory for transport) | Forest inventory data required | Management plan/ harvest plans. State Forest Management Centre has digital database about the forest inventory data and plans for fellings. State Forest is FSC and PEFC certified and controlled every year. |
| Private owned (both companies and private owners) and municipality owned forests (there risk level is considered same for these forests) | Felling permit and waybill (compulsory for transport) | Forest inventory data required | Management plan (printout on paper with statistics, maps etc.) is not compulsory in Estonia but there has to be valid forest inventory data. The specified risk is related to health and safety and payment of VAT. |

Risk assessment

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|---------------------------------------|--|--|--|
| Legal rights to harvest | | | |
| 1.1 Land tenure and management rights | <p>Applicable laws and regulations</p> <p>Law of Property Act (Asjaõigusseadus. Vastu võetud 09.06.1993, RT I 1993, 39, 590, jõustumine 01.12.1993) Part 1 - General, part 2 - Possession and land register, part 3 - Ownership, part 4 – Servitudes</p> <p>Forest Act (Metsaseadus. Vastu võetud 07.06.2006 RT I 2006, 30, 232, jõustumine 01.01.2007, osaliselt 01.07.2007) Chapter 1 - General provisions, chapter 2 - Direction of forestry, chapter 4 - Forest management</p> <p>Felling permit form and requirements data on felling permit, requirements for registration, requirements for proceed and deadline. (Metsateatise esitatavate andmete loetelu, metsateatise vorm, esitamise, tagastamise, registreerimise ja</p> | <p>Riigi Teataja (www.riigiteataja.ee)</p> <p>Maa-amet (www.maaamet.ee)</p> <p>Transparency International (http://cpi.transparency.org/cpi2013/results/)</p> | <p>Low risk</p> <p>In Estonia, the property registration process is regulated by the laws and regulations mentioned in the column of applicable laws and legislation.</p> <p>Tenure rights can be registered in land registry only if natural person or legal entity of any form provides relevant documents confirming the legal rights to the land concerned. This would include identification documents (passport, ID card, company registration documents, etc.), sales-purchase agreements, court decisions or other documents proving legal right to own real property. There is no evidence in Estonia that land rights have been issued in violation of prevailing regulations and that corruption has been involved in the process of issuing land tenure and management rights, therefore risk level is considered as low.</p> <p>Transparency international corruption perception index for Estonia in 2013 was 68; therefore corruption is not considered as key factor negatively influencing this indicator.</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|-----------|--|------------------------|------------------------------------|
| | <p>menetlemise kord ning tähtajad. Vastu võetud 26.06.2014 nr 27.) All paragraphs.</p> <p>Restrictions on Acquisition of Immovables Act (Kinnisasja omandamise kitsendamise seadus. Vastu võetud 08.02.2012, RT I, 23.02.2012, 11) Chapter 1 - General provisions, chapter 2 - Restrictions on Acquisition of Immovables Used as Profit Yielding Land, chapter 3 - Restrictions on Acquisition of Immovables Arising from National Defense Reasons.</p> <p>Legal Authority</p> <p>Ministry of the Environment Environmental Board Estonian Land Board Ministry of Justice</p> <p>Court of Justice - responsible for hearing disputes related to land tenure and management rights. The database of real estate (kinnisturaamat) is kept by the courts.</p> <p>State notaries - compile and approve the purchase/sales contracts, testaments etc.</p> <p>Legally required documents or records</p> <p>A land registry entry certifying the right of ownership - provides information about the legal owners.</p> <p>Report from forest registry database - provides information about the management rights</p> | | |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|---|--|--|---|
| | <p>Letter of land use</p> <p>Registration in business registry</p> | | |
| <p>1.2 Concession licenses</p> | <p>Applicable laws and regulations</p> <p>N/A</p> <p>In Estonia there is no system of concession licenses since forests are not rented out.</p> <p>Legal Authority</p> <p>N/A</p> <p>Legally required documents or records</p> <p>N/A</p> | <p>N/A</p> | <p>N/A</p> |
| <p>1.3 Management and harvesting planning</p> | <p>Applicable laws and regulations</p> <p>Forest Act - (Metsaseadus. Vastu võetud 07.06.2006 RT I 2006, 30, 232, jõustumine 01.01.2007, osaliselt 01.07.2007) Chapter 1 - General provisions, chapter 2 - Direction of forestry, chapter 3 - Forest survey, chapter 4 - Forest management</p> <p>Forest management regulation (Metsa majandamise eeskiri Vastu võetud 27.12.2006 nr 88 RTL 2007, 2, 16, jõustumine 12.01.2007) All paragraphs.</p> <p>Forest Inventory Guidelines (Metsa korraldamise juhend. Vastu võetud 16.01.2009 nr 2, RTL 2009, 9, 104) All chapters.</p> | <p>Riigi Teataja (www.riigiteataja.ee)</p> <p>Avalik metsaregister (http://register.metsad.ee/avalik/)</p> | <p>Low risk</p> <p>Management and harvesting planning is regulated by laws and regulations mentioned in column of applicable laws and legislation.</p> <p>The Forest Act and Forest Inventory guidelines set rules for persons and companies who conduct forest inventory and create management plans. Taxators must have taxator licenses and companies must have forest inventory permission for this. For gaining this license persons must have forestry education and must conduct a taxator exam.</p> <p>New forest management plans are checked by Environmental Agency to ensure that all applicable legislation is followed.</p> <p>Forestry inventories are uploaded to public database and can be seen by any interested party.</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|-----------|--|------------------------|--|
| | <p>Requirements for the test works and examination of forest taxators and rules for evaluating the results of test works and exams (Metsakorraldaja katsetöödele ja eksamitele esitatavad nõuded, katsetööde ja eksamite korraldamise ning tulemuste hindamise ja metsakorraldaja tunnistuse andmise kord [RT I, 29.07.2014, 3 - jõust. 01.08.2014], Vastu võetud 21.12.2006 nr 82, RTL 2006, 93, 1724, jõustumine 01.01.2007- All paragraphs.</p> <p>Rules for applying, issuing and extension of forest inventory and taxation license (Metsakorraldustööde tegevusloa taotlemise, andmise ja pikendamise kord, metsakorraldustööde tegevusloa vorm ning metsakorraldustööde tehnilistele vahenditele esitatavad nõuded ja nende nõuetele vastavuse hindamise kord. Vastu võetud 04.01.2007 nr 1, RTL 2007, 4, 65, jõustumine 15.01.200) All chapters.</p> <p>Legal Authority Ministry of the Environment Environmental Board Environmental Agency</p> <p>Legally required documents or records Forest Management Plan Forest Inventory</p> | | <p>Transparency international corruption perception index for Estonia in 2013 was 68, therefore corruption is not considered as key factor negatively influencing management and harvesting planning of forests in Estonia.</p> <p>Risk level for this indicator is considered as low.</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|------------------------|--|---|--|
| | <p>Printout from forest registry - gives information about management plan/forest inventory data and registered felling permits</p> <p>Receipt of purchased or sold forest material.</p> <p>Estonian Tax and Customs Board notification and waybill</p> | | |
| 1.4 Harvesting permits | <p>Applicable laws and regulations</p> <p>Forest Act - (Metsaseadus. Vastu võetud 07.06.2006 RT I 2006, 30, 232, jõustumine 01.01.2007, osaliselt 01.07.2007) Chapter 4 - Forest management (§41)</p> <p>Forest management regulations (Metsa majandamise eeskiri Vastu võetud 27.12.2006 nr 88 RTL 2007, 2, 16, jõustumine 12.01.2007) All paragraphs.</p> <p>Felling permit form and requirements data on felling permit, requirements for registration, requirements for proceed and deadline. (Metsateatise esitatavate andmete loetelu, metsateatise vorm, esitamise, tagastamise, registreerimise ja menetlemise kord ning tähtajad. Vastu võetud 26.06.2014 nr 27.) All paragraphs.</p> <p>Requirements for forest material transport, form for forest material transfer act, form for sold or purchased forest material or felling right and requirements for the waybill (Metsamaterjali veoeeskiri, metsamaterjali üleandmise-vastuvõtmise akti ja müüdüd või ostetud raieõiguse või metsamaterjali kohta Maksu- ja Tolliametile esitatava teatise vorm ning veoselehe kohta esitatavad nõuded [RT I, 09.03.2011, 11 - jõust. 12.03.2011], Vastu võetud 21.12.2006 nr 84, RTL</p> | <p>Avalik metsaregister (http://register.metsad.ee/avalik/)</p> <p>Answer to NEPCo's request by Environmental Inspectorate (05.05.2014 nr -J-6-4/235-2)</p> | <p>Low risk</p> <p>Issuing harvesting permits is well regulated in Estonia. Forest owner can get felling permit from the Environmental Board or it can also filled in internet. In cases of pre-commercial thinning or in case the harvested timber volume is less than 20 cubic meters per one FMU there is no need for felling permit.</p> <p>All felling permits are reviewed by specialist in Environmental Board.</p> <p>The control over the harvesting is done by Environmental Inspectorate.</p> <p>According to the statistics provided by the Environmental Inspectorate, 938 sites were controlled during 2012 and 990 were controlled during 2013. The number of violations related to timber harvesting without permission was 18 cases in 2012 (1,9 %) and 14 cases in 2013 (1,4%).</p> <p>Transparency International's Corruption Perception Index for Estonia was 68 in 2013, therefore corruption is not considered as key factor influencing the process for obtaining harvesting permits for areas and species that could not be harvested according to the legislation.</p> <p>During the meeting with representatives of the Environmental Inspectorate that took place 29.09.2014 it was also concluded that the system is functioning well and there is no major risk in this area.</p> <p>Risk level for this indicator is considered as low.</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|--|--|------------------------|------------------------------------|
| | <p>2006, 93, 1726, jõustumine 01.01.2007) All paragraphs.</p> <p>Legal Authority Ministry of the Environment Environmental Board The Environmental Inspectorate</p> <p>Legally required documents or records Felling permit Forest management plan Estonian Tax and Customs Board notification and waybill Act of forest material transfer Sales invoice, purchase receipts.</p> | | |
| Taxes and fees | | | |
| 1.5 Payment of royalties and harvesting fees | <p>Applicable laws and regulations N/A</p> <p>Legal Authority N/A</p> <p>Legally required documents or records N/A</p> | N/A | N/A |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|---|--|---|---|
| 1.6 Value added taxes and other sales taxes | <p>Applicable laws and regulations</p> <p>Taxation Act (Maksukorralduse seadus. Vastu võetud 20.02.2002, RT I 2002, 26, 150, jõustunud vastavalt §-le 170.) Chapter 1 - General provisions.</p> <p>Value-Added Tax Act (Käibemaksuseadus. Vastu võetud 10.12.2003, RT I 2003, 82, 554, jõustunud vastavalt §-le 50.)- All chapters</p> <p>Legal Authority</p> <p>Estonian Tax and Customs Board</p> <p>Legally required documents or records</p> <p>Annual report of the company</p> <p>Monthly VAT reports</p> | <p>Estonian Tax and Customs Board`s database (www.emta.ee) . Riigi Teataja (www.riigiteataja.ee)</p> <p>Answer to NEPCons request by Estonian Tax and customs Board (nr 9-6/10725-1 and nr 9-6/10725)</p> <p>E-mail answer from Estonian Tax and customs Board 03.10.2014</p> | <p>Low risk</p> <p>There is a Taxation Act and Value-Added Tax Act in place. Value-Added Tax Act specifies the rights, obligations and liability of tax authorities and taxable persons, the procedure for tax proceedings and the procedure for the resolution of tax disputes.</p> <p>According to the Value-Added Tax Act (VAT) is paid by all persons (natural and legal) having annual turnover from their business activities higher than 16 000 euros.</p> <p>VAT for timber is paid by purchaser and not by the seller in order to avoid VAT laundering.</p> <p>The Estonian Tax and Customs Board is responsible for collection of VAT, which has to be declared every month by a tax payer.</p> <p>According to statistics provided by Estonian Tax and Customs Board they have conducted 310 controls in 2012 and 552 controls in 2013 in forestry related companies. In 2012, 204 companies were asked to pay some additional sums for taxes, and in 2013, 377 companies were asked to pay additional taxes. Of these payments, some were for value added taxes, some for income taxes and some for both.</p> <p>It is compulsory for round wood sellers and round wood buyers to register all the amounts and sums a database, so the Estonian Tax and Customs board has an overview of the transactions.</p> <p>A letter from Minister of Finance to Estonian Forest and Wood Industries Association and The Foundation Private Forest Centre that there is no need to apply new and more strict value added tax system (return VAT) that was proposed by them. According to the Ministry of Finance the tax loss from forest sector is low compared to other sectors. The tax loss of forestry sector is 1-2% compared to the total estimated tax loss.</p> <p>After the compilation of first draft of this risk assessment new requirement came into force that requires that companies must register all invoices to state database that are higher as 1000 euros. There are information available from Estonian Tax and customs board that this new requirement has already very good effect on tax intake.</p> <p>According to the information available the risk status for this indicator is low.</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|-----------------------------|--|---|---|
| 1.7 Income and profit taxes | <p>Applicable laws and regulations</p> <p>Taxation Act (Maksukorralduse seadus. Vastu võetud 20.02.2002, RT I 2002, 26, 150, jõustunud vastavalt §-le 170.) Chapter 1 - General provisions, and § 25 - about the new requirement of registering workers.</p> <p>Income Tax Act (Tulumaksuseadus. Vastu võetud 15.12.1999 RT I 1999, 101, 903, jõustumine 01.01.2000) All chapters</p> <p>Legal Authority</p> <p>Estonian Tax and Customs Board</p> <p>Legally required documents or records</p> <p>Income declaration</p> <p>Annual Report of the company</p> | <p>Estonian Tax and Customs Board`s database (www.emta.ee)</p> <p>Riigi Teataja (www.riigiteataja.ee)</p> | <p>Low risk</p> <p>There is Taxation Act and Income Tax Act in place. These acts specify the rights, obligations and liabilities of tax authorities and taxable persons, the procedure for tax proceedings and the procedure for the resolution of tax disputes.</p> <p>In 2014 income tax is 21% and from the year 2015 it will be 20%.</p> <p>The Income Tax Act also specifies requirements for taxing of forest material.</p> <p>Anybody receiving income from selling services or products must declare their incomes by the end of march and this can be done digitally or in the office of Estonian Tax and Customs Board.</p> <p>From 01.07.2014 it is obligatory to register all the workers in Estonian Tax and Customs Board database. This means that it is not possible to work without any kind of contract or registration. This is regulated by Taxation Act.</p> <p>The Environmental Inspectorate (29.09.2014) revealed that inspectorate together with Estonian Tax and Customs Board have been conducting weekly controls to forest operations in different counties to control fulfillment of this new regulation and other related regulations. There were no results of these inspections available at the time of preparing of this risk assessment.</p> <p>The Estonian Tax and Customs Board is responsible for controlling tax payments and this is a constant process.</p> <p>According to statistics provided by Estonian Tax and Customs Board, 310 controls were conducted in 2012 and 552 controls in 2013 in forestry related companies. In 2012, 204 companies were asked to pay some additional sums for taxes and in 2013, 377 companies were asked to pay additional taxes. Of these additional payments, some were for value added taxes, some for income taxes and some for both.</p> <p>According to the Estonian Tax and Customs Board there are approximately 6% of the companies in the forestry sector who may not pay (fully or partially) the required income taxes from salaries. According to the Estonian Tax and Customs the 6% is an approximate number, and is likely to include mostly smaller companies in terms of turnover and thus amount unpaid taxes is therefore small. Larger companies are controlled more often and are subject to additional auditing requirement.</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|-------------------------------------|---|---|---|
| | | | In Estonia there are all income taxes related laws in place and paying of these taxes is controlled constantly by Estonian Tax and Customs Board. According to the information provided above this indicator is considered as low risk. |
| Timber harvesting activities | | | |
| 1.8 Timber harvesting regulations | <p>Applicable laws and regulations</p> <p>Forest Act - (Metsaseadus. Vastu võetud 07.06.2006 RT I 2006, 30, 232, jõustumine 01.01.2007, osaliselt 01.07.2007) Chapter 1 - General provisions, 3 - Forest survey, chapter 4 - Forest management</p> <p>Felling permit form and requirements data on felling permit, requirements for registration, requirements for proceed and deadline. (Metsateatise esitatavate andmete loetelu, metsateatise vorm, esitamise, tagastamise, registreerimise ja menetlemise kord ning tähtajad. Vastu võetud 26.06.2014 nr 27.) All paragraphs.</p> <p>Forest management regulation (Metsa majandamise eeskiri Vastu võetud 27.12.2006 nr 88 RTL 2007, 2, 16, jõustumine 12.01.2007) All paragraphs.</p> <p>Forest Inventory Guidelines (Metsa korraldamise juhend. Vastu võetud 16.01.2009 nr 2, RTL 2009, 9, 104) All chapters.</p> <p>Requirements for forest material transport, form for forest material transfer act, form for sold or purchased forest material or felling right and requirements for the waybill (Metsamaterjali veoeeskiri, metsamaterjali üleandmise-vastuvõtmise akti ja müüdü või ostetud raieõiguse või metsamaterjali kohta Maksu- ja Tolliametile esitatava teatise vorm ning veoselehe kohta</p> | <p>Riigi Teataja (www.riigiteataja.ee)</p> <p>Avalik metsaregister (http://register.metsad.ee/avalik/)</p> | <p>Low risk</p> <p>Timber harvesting is regulated in detail by the laws mentioned in the applicable laws and regulations column. The Forest Management Regulations describes the types of forest cuttings and defines the minimum age or diameter of forest trees to be cut which depends on tree species and forest categories. In addition, it requires that certain numbers of trees per/ha shall be left after harvesting for biodiversity purposes (5 m³/ha, 10 m³/ha in case felling area is > 5 ha). These trees shall match the criteria described in the law.</p> <p>Areas where cutting is not allowed at all are also described in the laws. Protected forest is divided into three protection categories according to the level of action allowed.</p> <p>The technological requirements mentioned in the Forest management regulation describes how much of shelter wood and wood residues or dead wood shall be left, how the skidding trails shall be prepared and used, how timber shall be extracted from the cutting area and stored. The use of the road structure, drainage systems and bridges, which depends on the harvesting season, cutting type, forest category, etc. is also described in this regulation.</p> <p>The Environmental Inspectorate is responsible for monitoring these requirements. According to the statistics provided by the Environmental Inspectorate 938 sites were controlled during 2012 and 990 were controlled during 2013. The number of violations related timber harvesting regulations in 2012 was two and in 2013, five.</p> <p>During the meeting with representatives of the Environmental Inspectorate that took place 29.09.2014 it was also concluded that the system is functioning well and there is no major risk in this area. The violation identified in the statistics are rare cases and there is no discernible differences between state forest or private forest, however, generally where an incident occurs with a state forest, it is dealt much faster than in private forests.</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|---------------------------------|--|---|--|
| | <p>esitatavad nõuded [RT I, 09.03.2011, 11 - jõust. 12.03.2011], Vastu võetud 21.12.2006 nr 84, RTL 2006, 93, 1726, jõustumine 01.01.2007) All paragraphs</p> <p>Nature Conservation Act (Looduskaitse seadus Vastu võetud 21.04.2004, RT I 2004, 38, 258, jõustumine 10.05.2004) Chapter 1 - general provisions, chapter 3 - Organisation of protection, chapter 4 - protected areas, chapter 5 - Limited-conservation areas, chapter 6 - Shores and Banks, chapter 8 - Species</p> <p>Legal Authority</p> <p>Ministry of the Environment The Environmental Board The Environmental Inspectorate</p> <p>Legally required documents or records</p> <p>Felling permit Forest management plan Permit for forest material transport Receipts for purchase or sold forest material</p> | | <p>According to the information provided above, the risk for this indicator can be considered as low.</p> |
| 1.9 Protected sites and species | <p>Applicable laws and regulations</p> <p>Forest Act - (Metsaseadus. Vastu võetud 07.06.2006 RT I 2006, 30, 232, jõustumine 01.01.2007, osaliselt 01.07.2007) Chapter 1 - General provisions, 3 - Forest survey, chapter 4 - Forest management</p> | <p>Riigi Teataja (www.riigiteataja.ee)</p> <p>Avalik metsaregister (http://register.metsad.ee/ava</p> | <p>Low risk</p> <p>All the requirements are described in Forest Act, Nature Conservation Act and related laws.</p> <p>All protection areas and protected species habitats (except category I and II) are registered in public databases or in forest management plans (including category I and II). For category I protected species, land owners are notified in writing. The system exists for land owners and other stakeholders to have access to the main</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|---------------------------------|---|---|--|
| | <p>Nature Conservation Act - (Looduskaitseadus Vastu võetud 21.04.2004, RT I 2004, 38, 258, jõustumine 10.05.2004) Chapter 1 - general provisions, chapter 3 - Organisation of protection, chapter 4 - protected areas, chapter 5 - Limited-conservation areas, chapter 6 - Shores and Banks, chapter 8 - Species</p> <p>Legal Authority</p> <p>Ministry of the Environment The Environmental Board Agency of Environment The Environmental Inspectorate</p> <p>Legally required documents or records</p> <p>Felling permit Forest inventory data and management plan</p> | <p>lik/)</p> <p>Eesti Looduse Infosüsteem (www.eelis.ee)</p> <p>Answer to NEPCons request by Environmental Inspectorate (05.05.2014 nr -J-6-4/235-2)</p> | <p>information. Prior issuing a felling permit, the existence of protected habitats and species is checked by the Environmental Board.</p> <p>The Environmental Inspectorate and the Environmental Board are responsible for controlling the fulfillment of these laws. The Environmental Inspectorate determines sanctions where violations are discovered.</p> <p>According to the statistics provided by the Environmental Inspectorate 938 sites were controlled during 2012 and 990 were controlled during 2013. The number of violations related to protected sites and species in 2012 was three and in 2013, two.</p> <p>During the meeting with representatives of the Environmental Inspectorate that took place 29.09.2014 it was concluded that the protection system is functioning well and there is no major risk in this area. The violations which have been detected in the previous two years are small scale cases where people have accidentally crossed borders of protected species protection zones and cut down some trees there.</p> <p>In Estonia legal acts cover all aspects of this indicator.</p> <p>According to the information above the risk level for this indicator is considered as low.</p> |
| 1.10 Environmental requirements | <p>Applicable laws and regulations</p> <p>Forest Act - (Metsaseadus. Vastu võetud 07.06.2006 RT I 2006, 30, 232, jõustumine 01.01.2007, osaliselt 01.07.2007) Chapter 1 - General provisions, 3 - Forest survey, chapter 4 - Forest management</p> <p>Nature Conservation Act - (Looduskaitseadus Vastu võetud 21.04.2004, RT I 2004, 38, 258, jõustumine 10.05.2004) Chapter 1 - general provisions, chapter 3 - Organisation of protection, chapter 4 - protected areas, chapter 5 - Limited-</p> | <p>Riigi Teataja (www.riigiteataja.ee)</p> <p>Avalik metsaregister (http://register.metsad.ee/avalik/)</p> <p>Eesti Looduse Infosüsteem (www.eelis.ee)</p> <p>Answer to</p> | <p>Low risk</p> <p>The law requires that all forest operations shall be planned and implemented in accordance with the requirements of the Regulations on forest cuttings. These include requirements for protection of nesting places of rare and endangered bird species, as well as requirements to leave trees and dead wood for biodiversity protection.</p> <p>The maintenance of buffer zones along water courses or open areas, as well as some limitation in relation to protection of soil against erosion is covered in the Regulations on forest cuttings.</p> <p>The Environmental Inspectorate is responsible for constantly controlling fulfillment of these laws.</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | <p>conservation areas, chapter 6 - Shores and Banks, chapter 8 - Species</p> <p>Legal Authority</p> <p>Ministry of the Environment</p> <p>Environmental Board</p> <p>The Environmental Inspectorate</p> <p>Legally required documents or records</p> <p>Felling permit</p> <p>Forest management plan</p> | <p>NEPCons request by Environmental Inspectorate (05.05.2014 nr -J-6-4/235-2)</p> | <p>According to the statistics provided by the Environmental Inspectorate statistics 938 sites were controlled during 2012 and 990 were controlled during 2013. The number of violations related to environmental requirements in 2012 was 22 and in 2013, 14.</p> <p>During the meeting with representatives of the Environmental Inspectorate that took place 29.09.2014 it was also concluded that the protection system is functioning well and there is no major risk in this area. The violations have been detected are small scale, for example: some soil damage or small scale cuttings in buffer zones. There is no major difference in compliance between the state forest and private forest. Where violations are detected in the state forest, the damage is rectified much more quickly.</p> <p>According to the statistics provided above and information from the Environmental Inspectorate the risk level for this indicator is considered as low.</p> |
| 1.11 Health and safety | <p>Applicable laws and regulations</p> <p>Occupational Health and Safety Act (Töötervishoiu ja tööhutuse seadus. Vastu võetud 16.06.1999, RT I 1999, 60, 616, jõustumine 26.07.1999) All chapters.</p> <p>ILO conventions (relevant sections for health and safety have been incorporated into Estonian Legislation by the Occupational Health and Safety Act).</p> <p>Legal Authority</p> <p>Labour inspectorate</p> <p>Legally required documents or records</p> <p>Company's Occupational Health and Safety documentation /procedures</p> | <p>Riigi Teataja (www.riigiteataja.ee)</p> <p>Tööinspektsioon (www.ti.ee)</p> <p>ILO (www.ilo.org)</p> <p>Forestry Workers Union</p> <p>Answer to NEPCons request by Labour inspectorate (answer sent to NEPCon on 06.04.2014)</p> | <p>Low risk</p> <p>Health and safety in forestry activities is monitored by the Labour Inspectorate. The Occupational Health and Safety Act provides for the occupational health and safety requirements set for work performed by employees and officials (hereinafter employee), the rights and obligations of an employer and an employee in creating and ensuring a working environment which is safe for health, the organization of occupational health and safety in enterprises and at state level, the procedure for challenge proceedings, and the liability for violation of the occupational health and safety requirement.</p> <p>According to the Labour Inspectorates statistics they have visited 82 forestry related companies during 2012 and 75 companies during 2013. The total number of violation in 2012 was 299 and in 2013, 209.</p> <p>The main type of violations were related to health and safety procedures, for example risk assessments were missing or were not according to requirements, no internal controls in place, a lack of safety instructions for machinery, insufficient training for workers and violations of health control requirements.</p> <p>Safety equipment related violations make up 8% of the total violations during past 5 years.</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | Occupational certificate | Estonia State Forest Management Center – personal communications | <p>During the FSC FM audits there have also been some cases where workers were not wearing required safety equipment though the equipment was provided by the employer. There are very rare cases of violations among FSC certified companies since they are controlled every year during audits and FSC requires more than the local legislation.</p> <p>According to the information from Forestry Workers Union the violation of health and safety requirements is not widespread among their members and compared to previous years the situation is much better. Using health and safety equipment has become a natural element among their members. Members of the union are State Forest workers only.</p> <p>It is clear that issues exists in some areas, but according to the statistics, the majority of forestry workers are using required safety equipment and in most of the cases the required equipment has been provided to workers.</p> <p>There are also ongoing control visits conducted by the Labour Inspectorate that helps to improve gaps that were identified so far.</p> <p>According to the Work Inspectorate, the statistics do not show the actual picture because they do not show information about self-employed individuals as according to the legislation the Work Inspectorate is not obliged to control them. According to the additional information received from the Police, there have been some fatal work accidents with the self-employed persons or individuals in the recent years (1-3 cases per year).</p> <p>The trend of simple and serious work accidents has been same during last 5 years.</p> <p>According the Analysis of felling capacity, done by Estonian Forest and Wood Industries Association, just 4% of the fellings is done by logging workers (according to Chief Specialist of Forest Management, in state forests, chainsaw operators can make up 31-62% of harvester operators) and 96% by logging machines (harvesters). This shows that most of the fellings are made in very good health and safety environment- by operators of machines who are working inside the harvester cabin.</p> <p>According to the information available the fatal accidents mostly happen to private people operating in their own forest cutting timber for their own use. This makes a very small share of the total annual felling amount and the fact that Environmental</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | | | <p>Inspectorate together with Labour Inspectorate have conducted additional inspections to control the fulfillment of the new act that requires the registration of all workers, we can say that this helps to improve gaps that were identified so far.</p> <p>The chain-saw operator who are professionals usually have required chain-saw operator licenses and they use required safety equipment. In Estonia there have been 1600 felling operator licenses issued since 2006 and this means that there are plenty of licensed professionals who can work in forest.</p> <p>According to the information provided above the risk status can be evaluated as low.</p> |
| 1.12 Legal employment | <p>Applicable laws and regulations</p> <p>Employment Contracts Act (Töölepingu seadus Vastu võetud 17.12.2008, RT I 2009, 5, 35, jõustumine, 01.07.2009) All chapters</p> <p>Trade Unions Act (Ametiühingute seadus. Vastu võetud 14.06.2000, RT I 2000, 57, 372 jõustumine 23.07.2000) Chapter 1 - General provisions</p> <p>ILO conventions (relevant sections for legal employment have been incorporated into Estonian Legislation by the Employment Contracts Act and the Trade Unions Act).</p> <p>Taxation Act (Maksukorralduse seadus. Vastu võetud 20.02.2002, RT I 2002, 26, 150, jõustunud vastavalt §-le 170.) Chapter 1 - General provisions § 25 - about the new requirement of registering workers.</p> <p>Legal Authority</p> <p>Labour inspectorate</p> <p>Estonian Tax and Customs Board</p> | <p>Riigi Teataja (www.riigiteataja.ee) Labour inspectorate (www.ti.ee)</p> <p>ILO (www.ilo.org)</p> <p>Estonian Tax and Customs Board</p> <p>Answer to NEPCons request by Labour inspectorate (answer sent to NEPCon on 06.04.2014) Answer to NEPCons request by Estonian Tax</p> | <p>Low risk</p> <p>Legal employment in Estonia is defined by Employment Contracts Act and related regulations.</p> <p>According to legislation all employees shall have signed employment contract which is a basis for obligatory social security.</p> <p>From 01.07.2014, the Taxation Act required that all workers in Estonia must be registered in Estonian Tax and Customs Board database. This means that it is theoretically impossible for people to work without any kind of contract or registration.</p> <p>During the meeting with the Environmental Inspectorate (29.09.2014) it turned out that inspectorate together with Estonian Tax and Customs Board have been conducting weekly controls to forest operations in different counties to control fulfillment of this new regulation and other related regulations. There is no data about the results available yet but the fact itself about the intense control shows that there is less room for companies to use unregistered workers.</p> <p>There is a Forest Workers Union active in Estonia but all the member are working in State Forest system. According to their information, working without contracts is not a wide spread problem among their members.</p> <p>SA Kutsekoda organises and holds an information about certified forest workers such as loggers and specialists.</p> <p>Compliance with laws mentioned is controlled by Labor Inspectorate and Estonian Tax and Customs Board. According to their statistics, work inspectorate has visited</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | <p>SA Kutsekoda (www.kutsekoda.ee)</p> <p>Legally required documents or records</p> <p>Employment contract</p> <p>Work permit</p> <p>Contract with Union</p> | <p>and customs Board (nr 9-6/10725-1 and nr 9-6/10725)</p> <p>Press release from Estonian Tax and Customs board 22.02.13</p> <p>Answer from Estonian Fund for Nature (nr 12.2-4/)</p> <p>Airi Lepassaar, Manager of the Control Unit - Estonian Labour inspectorate – personal communications</p> | <p>forestry related companies 82 times in 2012 and 75 times in 2013. There were 4 cases where violations related to legal employment were detected.</p> <p>According to the statistics received by Tax and Customs Board in 2014 107 persons were controlled and the share of unregistered workers was 16 persons (24.3 %). During 2015 101 persons were controlled and out of them 16 (15.8%) persons were not registered in the database. Airi Lepassaar also stated that in 2016, the total percentage of unregistered workers in forestry sector is 7,9%.</p> <p>According to the Manager of the Control Unit Airi Lepassaar, they controlled mainly chainsaw operators since unregistered worker problem is mainly related to them.</p> <p>Airi Lepassaar also stated that such controls definitely will continued in 2016. This shows is that tax and customs board is actively working to control the fulfillment of the new legislation that requires that all workers are registered in the workers registerThe Estonian Tax and Customs board states that approximately 6% of forestry related companies may fully or partially pay "envelope salary" and that means that there is a possibility that the people receiving this type of salary are working without employment contracts. Raids in State Forests were carried out in 2011, and in some cases legal employment related violations were discovered. The State Forest organised meetings with Estonian Tax and Customs Board in 2013 to solve the issues related to their subcontractors. Illegal employment in Estonia is controlled and preventive measures implemented by different institutions such as Work Inspectorate and Estonian Tax and Customs Board.</p> <p>According to Estonian Tax and Customs the 6% is an approximate number, and is likely to include mostly smaller companies as larger companies are controlled more often and are subject to additional auditing requirement, therefore the impact of the non-compliance is actually small. Based on the information provided above, it is seen that even though there might be cases of illegal employment in forestry sector, but control and preventive measures implemented provide solid background for defining this indicator as low risk.</p> |
| Third parties' rights | | | |
| 1.13 Customary rights | <p>Applicable laws and regulations</p> <p>The Constitution of the Republic of Estonia Eesti Vabariigi põhiseadus. Vastu võetud 28.06.1992, RT</p> | <p>Riigi Teataja (http://www.riigiteataja.ee)</p> | <p>Low risk</p> <p>According to the legislation, people are allowed to be in private forest and in State Forest, pick berries and collect other non-timber products during the day time (except in strict nature reserves and during the nesting season of protected</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | <p>1992, 26, 349 jõustumine 03.07.1992) Chapter 2 - Main rights, freedoms and responsibilities</p> <p>General Principles of the Law of the Environmental Code (Keskkonnaseadustiku üldosa seadus. Vastu võetud 16.02.2011, RT I, 28.02.2011, 1 jõustumine 01.08.2014, osaliselt 01.01.2015 ja 01.08.2017) Regulates "everyman's right" and collects different relevant requirements from different laws. Chapter 4, part 2 - Right to use not owned land or water body.</p> <p>Legal Authority</p> <p>The Environmental Inspectorate</p> <p>State Court</p> <p>Legally required documents or records</p> <p>N/A</p> | <p>Public forest registry (http://register.metsad.ee/ava/lik/?kataster=47302:001:0553)</p> | <p>species). Where people would like to camp or make a fire in the forest, additional permission is needed from the land owner.</p> <p>In Estonia there are no groups of individuals who have customary rights to forest harvesting activities.</p> <p>All the forest management plans are publicly available and interested persons can see these upon need. State Forest Management center has also harvesting plans uploaded on their homepage.</p> <p>The State Forests are FSC certified, therefore the managers have stated that they are willing to discuss customary rights related questions with stakeholders.</p> |
| 1.14 Free prior and informed consent | <p>Applicable laws and regulations</p> <p>Forest Act (Metsaseadus. Vastu võetud 07.06.2006 RT I 2006, 30, 232, jõustumine 01.01.2007, osaliselt 01.07.2007) Chapter 1 - General provisions, 2 - Direction of forestry</p> <p>The Constitution of the Republic of Estonia (Eesti Vabariigi põhiseadus. Vastu võetud 28.06.1992, RT 1992, 26, 349 jõustumine 03.07.1992) Chapter 2 - Main rights, freedoms and responsibilities</p> <p>Planning Act (Planeerimisseadus. Vastu võetud 13.11.2002 RT I 2002, 99, 579, jõustumine 01.01.2003) Chapter 1 - General provisions</p> | <p>Riigi Teataja (www.riigiteataja.ee)</p> <p>Public forest registry (http://register.metsad.ee/ava/lik/?kataster=47302:001:0553)</p> | <p>Low risk</p> <p>In State Forests, all the information about the forestry activities is public and stakeholders can contact the State Forest in case of questions or problems and all harvesting plans are posted on their web page.</p> <p>In private forests, forest owners must notify their bordering neighbours when crossing their land or using a neighbour's road for transporting logs out of the forest. The Forest Act also requires that, when conducting the final felling, an information board with the contact details of the company who is conducting the felling must be posted.</p> <p>Free, prior and informed consent in connection with forest management rights, access to forest resources, benefit sharing (etc.) is included in Planning Act and in Forest Act.</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | <p>Legal Authority</p> <p>State Court</p> <p>The Environmental Board</p> <p>Legally required documents or records</p> <p>N/A</p> | | <p>All forest inventory data is publicly available on public forest registry and all interested parties have access to related data.</p> <p>Forest owners themselves can also ask for different information (about contracts, laws etc.) from forest consultants and from Environmental Board. This service is free of charge.</p> <p>In the past, there were major issues with logging companies getting owners to sell standing forest without the owner's fully understanding what they were doing, not receiving proper payment and unaware of their obligation for reforestation after the logging. This is less of an issue today as forest owners have much more information available and there is a forest consultant service available.</p> <p>During the meeting with representatives of the Environmental Inspectorate that took place 29.09.2014 it was also concluded that the system is functioning well and there is no specified risk in this area.</p> |
| 1.15 Indigenous peoples rights | <p>Applicable laws and regulations</p> <p>N/A</p> <p>According to official information available there are no indigenous people groups known in Estonia other than Estonians. Estonians are native people in their homeland.</p> <p>There is no legislation in Estonia that currently defines special rules for indigenous people, however there are groups in Estonia who are currently seeking recognition as indigenous.</p> <p>The FSC is working with indigenous people in the standard for Estonia. In the FSC working group there are "land religious" people who are seeking formal recognition. In terms of the current FM standard they are considered local community.</p> <p>Legal Authority</p> <p>N/A</p> | N/A | N/A |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | <p>Legally required documents or records</p> <p>N/A</p> | | |
| Trade and transport | | | |
| <p>1.16 Classification of species, quantities, qualities</p> | <p>Applicable laws and regulations</p> <p>Forest Act (Metsaseadus. Vastu võetud 07.06.2006 RT I 2006, 30, 232, jõustumine 01.01.2007, osaliselt 01.07.2007) Chapter 4 - Forest management, paragraphs 37-39 and 41-42</p> <p>Requirements for timber measuring and determination of timber volume (Puidu mõõtmise ja mahu määramise meetodid, mõõtmistäpsusele ning mõõtmistulemuste dokumenteerimisele esitatavad nõuded, Vastu võetud 15.11.2006 nr 64, RTL 2006, 82, 1511, jõustumine 01.01.2007) All chapters.</p> <p>Felling permit form and requirements data on felling permit, requirements for registration, requirements for proceed and deadline. (Metsateatise esitatavate andmete loetelu, metsateatise vorm, esitamise, tagastamise, registreerimise ja menetlemise kord ning tähtjad. Vastu võetud 26.06.2014 nr 27.) All paragraphs.</p> <p>Legal Authority</p> <p>Ministry of the Environment</p> <p>Environmental Board</p> <p>Estonian Tax and Customs Board</p> | <p>Riigi Teataja (www.riigiteataja.ee)</p> <p>Answer to NEPCons request by Environmental Inspectorate (05.05.2014 nr -J-6-4/235-2)</p> | <p>Low risk</p> <p>In Estonia, the Ministry of Environment is responsible for the legal acts and regulations related to classifications, measurement of qualities and quantities of round wood. This is regulated by Forest Act and related regulations that can be seen in applicable laws and regulations column.</p> <p>It is required by law that when timber is transported there must always be a transport document accompanying the shipment which specifies: species, quantities and qualities.</p> <p>Described regulations also define how the standing forest shall be sold, how the volume for different timber products (round wood, sown timber, commercial wood, etc.) shall be calculated and provides the tables of logs volume calculations as well as other formulas for calculation of timber volume. It sets the transparent rules for selling the standing state forests.</p> <p>Transparency International's Corruption Perception Index for Estonia in 2013 was 68; therefore corruption is not considered as key factor negatively influencing classification of species, quantities and qualities in Estonia.</p> <p>The Environmental Inspectorate is responsible for controlling the classification of species, quantities and qualities. According to the Environmental Inspectorates, 938 companies were controlled during 2012 and 990 were controlled during 2013. The number of timber measuring and violations related to this category was zero in 2012 and three in 2013.</p> <p>During the meeting with representatives of the Environmental Inspectorate that took place 29.09.2014 it was also concluded that there is no major risk in this area. There are some cases where people have falsified the volumes coming from the cuttings but these rare cases are usually small scale. In Estonia, both the seller and buyer of forest material must be sure about the origin of the material and if the volumes coming from felling are realistic.</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | <p>Legally required documents or records</p> <p>Waybill</p> <p>Felling permit</p> <p>The convention of international cartage service (CMR)</p> | | <p>There is also system that the round wood buyer and seller must both register the volumes in state database where Estonian Tax and Customs Board can have overview of the transactions.</p> <p>This indicator is evaluated as Low risk.</p> |
| 1.17 Trade and transport | <p>Applicable laws and regulations</p> <p>Forest Act - (Metsaseadus. Vastu võetud 07.06.2006 RT I 2006, 30, 232, jõustumine 01.01.2007, osaliselt 01.07.2007) Chapter 4 - Forest management, paragraphs 37-39 and 41-42</p> <p>Requirements for forest material transport, form for forest material transfer act, form for sold or purchased forest material or felling right and requirements for the waybill (Metsamaterjali veoeeskiri, metsamaterjali üleandmise-vastuvõtmise akti ja müüdud või ostetud raieõiguse või metsamaterjali kohta Maksu- ja Tolliametile esitatava teatise vorm ning veoselehe kohta esitatavad nõuded [RT I, 09.03.2011, 11 - jõust. 12.03.2011], Vastu võetud 21.12.2006 nr 84, RTL 2006, 93, 1726, jõustumine 01.01.2007) All paragraphs.</p> <p>The Convention on International Carriage of Goods by Road (CMR)</p> <p>Legal Authority</p> <p>Ministry of the Environment</p> <p>Environmental Board</p> | <p>Riigi Teataja (www.riigiteataja.ee)</p> <p>Answer to NEPCons request by Environmental Inspectorate (05.05.2014 nr -J-6-4/235-2)</p> <p>Digital waybill system ELVIS https://www.veoseleht.ee/Web/et/EE/Home.mvc</p> | <p>Low risk</p> <p>It is required by law that when timber is transported it must be accompanied with waybill. When timber is transported outside Estonia on road, then the CMR must be completed. In case of water transport required shipping papers by law must be completed</p> <p>The Act "The requirements for forest material transport, the form for Act of forest material transfer and receipt, purchased or sold forest material, Estonian Tax and Customs Board notification and waybill" regulates different types on handover of forest material and required documentations for that. In forest Act there are also paragraphs 37-39 and 41-42 that regulate this.</p> <p>The Environmental Inspectorate is responsible for issuing these permits. According to the Environmental Inspectorates statistics 938 companies were controlled during 2012 and 990 were controlled during 2013. The number of timber measuring and issuing of transport documents related violations in 2012 was zero and three in 2013.</p> <p>There is also digital waybill system (ELVIS) functioning in Estonia. In this system Police, Environmental Inspectorate and Estonian Tax and Customs Board can see the movement of timber in real time. At the moment this system is not compulsory for everybody and is used only by State Forest and by bigger forest companies.</p> <p>During the meeting with representatives of the Environmental Inspectorate that took place 29.09.2014 it was also concluded that there is no major risk in this area.</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | <p>Estonian Tax and Customs Board</p> <p>Legally required documents or records</p> <p>Waybill</p> <p>The convention of international cartage service (CMR)</p> <p>Receipt for purchased or sold forest material</p> | | |
| <p>1.18 Offshore trading and transfer pricing</p> | <p>Applicable laws and regulations</p> <p>Income Tax Act (Maksudorralduse seadus. Vastu võetud 20.02.2002, RT I 2002, 26, 150, jõustunud vastavalt §-le 170.) Chapter 1 - General provisions.</p> <p>Regulation No. 53</p> <p>Value-Added Tax Act (Käibemaksuseadus. Vastu võetud 10.12.2003, RT I 2003, 82, 554, jõustunud vastavalt §-le 50.)- All chapters.</p> <p>Forest Act - (Metsaseadus. Vastu võetud 07.06.2006 RT I 2006, 30, 232, jõustumine 01.01.2007, osaliselt 01.07.2007) Chapter 4 - Forest management, paragraphs 37-39 and 41-42. Relates to the diligence requirement.</p> <p>Methods of evaluation of the value of the transactions between related persons. (Seotud isikute vahel tehtud tehingute väärtuse määramise meetodid. Vastu võetud 10.11.2006 nr 53. Määrus kehtestatakse «Tulumaksuseaduse» § 14 lõike 8</p> | <p>Estonian Tax and customs Boards database (www.emta.ee)</p> <p>Answer to NEPCons request by Estonian Tax and customs Board (nr 9-6/10725-1, nr 9-6/10725-2 and email dated 20.10.14)</p> <p>International transfer pricing 2012 - REPORT BY PriceWaterho</p> | <p>Low risk</p> <p>The international tax standard, developed by OECD and supported by the UN and the G20, provides for full exchange of information on request in all tax matters without regard to a domestic tax interest requirement or bank secrecy for tax purposes. Currently all 30 OECD member countries, including Estonia have endorsed and agreed to implement the international tax standard. Furthermore, all offshore financial centers accept the standard.</p> <p>Estonia has exchange of information relationships with 91 jurisdictions through 57 DTCs, 0 TIEAs and 1 multilateral mechanism, and is a signatory Convention on Mutual Administrative Assistance in Tax Matters.</p> <p>Estonian transfer pricing rules are stipulated in the Income Tax Act and in Regulation No. 53 issued by the Estonian Ministry of Finance on 10 November 2006. Estonian transfer pricing rules are stipulated in the Income Tax Act and in Regulation No. 53 issued by the Estonian Ministry of Finance on 10 November 2006. The Estonian regulation is based on the arm's-length principle, which requires the prices charged between related parties be equivalent to those that would have been charged between independent parties in the same circumstances. Should the transfer prices applied in the intercompany transactions not follow the arm's-length principle, any hidden distribution of profits is subject to Estonian corporate income tax.</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | <p>ning § 50 lõigete 6 ja 8 alusel arvestades § 53 lõiget 46.) All paragraphs.</p> <p>Legal Authority Estonian Tax and Customs Board</p> <p>Legally required documents or records Transfer pricing documentation to prove the arm's-length nature of the intercompany transactions.</p> <p>An exemption applies to small and medium-size enterprises (SME) unless they have conducted transactions with entities located in low-tax territories.</p> <p>The Estonian documentation requirements should generally follow the principles stipulated in the EU Council Code of Conduct on Transfer Pricing documentation for Associated Enterprises in the EU.</p> | <p>useCooper - http://download.pwc.com/ie/pubs/2012_international_transfer_pricing.pdf</p> <p>http://www.emta.ee/index.php?id=27605</p> <p>http://www.eoitax.org/jurisdictions/EE#agreements</p> | <p>There have been few cases either resolved in the framework of administrative objection procedure or brought to court. The cases have concerned topics such as duplicative services, stewardship costs, selection of external comparables and consolidation of transactions</p> <p>According to available information the answers from Estonian Tax and customs Board there is some illegal activity related to transfer pricing in forestry sector (like in every other sector) and it is related mainly to bigger international companies and in transactions between related persons or companies. The main violation is the different transaction value compared to the overall market value of such transactions. According to the Estonian Tax and Customs Board there is no statistics available for forestry sector since this is similar issue for all the sectors. Estonian Tax and Customs board is actively controlling this area and has also provided a guidance materials for determining accurate transfer price and controlling the transfer pricing (http://www.emta.ee/index.php?id=4676).</p> <p>PriceWaterhouseCoopers states that although administrative practice is inconsistent, sensitive areas are emerging such as loss-making companies, management services and financing.</p> <p>There is legislation available, there is state authority controlling the transfer pricing and there are no major issues known in forestry sector and therefore the risk can be considered as low.</p> |
| 1.19 Custom regulations | <p>Applicable laws and regulations Customs Act (Tolliseadus. Vastu võetud 13.04.2004, RT I 2004, 28, 188, jõustumine 01.05.2004) Chapter 1 - General provisions, chapter 3 - Conditions for application of import and export duties and other measures regulating trade, chapter 4 - Provisions applicable to goods conveyed to Estonia until customs-approved treatment or use is assigned 5 - Assignment of customs-approved treatment or use to goods , chapter 6 - Customs-approved treatment or use</p> | <p>Riigi Teataja (www.riigiteataja.ee) Maksu- ja Tolliamet (www.emta.ee)</p> <p>Answer to NEPCons request by Estonian Tax and customs</p> | <p>Low risk</p> <p>It is common practice in Estonia that companies importing or exporting timber are using the service of customs brokers/professionals who are completing required customs documentation and declarations on their behalf.</p> <p>According to the report from Estonian Tax and Customs board they do not collect statistics of violations about formulations of customs documentation when importing or exporting timber products.</p> <p>In general, Customs Estonia have enforced strict customs controls at different levels, including sample checks of product classification, product value evaluations and product country of origin evaluations. Furthermore, Estonia is following EU</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|------------|--|---|--|
| | <p>Guidelines for Export customs procedures and requirements for customs formalities (Ekspordi tolliprotseduuri rakendamise täiendavad juhised ning eksportimisel tolliformaalsuste teostamise kord. Vastu võetud 27.04.2004 nr 144, RT I 2004, 35, 238, jõustumine 01.05.2004) All paragraphs</p> <p>Legal Authority Estonian Tax and Customs Board</p> <p>Legally required documents or records Printout from real estate database - Provides the name of legal owner Report from forest registry database - Provides information about the volumes allowed to be cut Letter of land use Registration in business registry</p> | Board (nr 9-6/10725-1) | regulations on different product classification. According to the information available this indicator can be considered as low risk. |
| 1.20 CITES | <p>Applicable laws and regulations CITES (Loodusliku loomastiku ja taimestiku ohustatud liikidega rahvusvahelise kaubanduse konventsioon. Vastu võetud 03.05.1973) All articles.</p> <p>Legal Authority Estonian Tax and Customs Board Environmental Inspectorate</p> | <p>Riigi Teataja (www.riigiteataja.ee)</p> <p>Maksu- ja Tolliamet (www.emta.ee)</p> <p>) Answer to NEPCons request by Ministry of the</p> | <p>N/A</p> <p>In Estonia there is no CITES tree species growing and according to the information from Ministry of Environment there have been no licenses issued for wood products in Estonia.</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|---|---|---|---|
| | <p>Legally required documents or records</p> <p>CITES license if necessary</p> <p>Local customs documentation</p> | <p>Environment 09.06.2014</p> | |
| Diligence/due care procedures | | | |
| <p>1.21 Legislation requiring due diligence/due care procedures</p> | <p>Applicable laws and regulations</p> <p>EU Timber regulation</p> <p>Forest Act (Metsaseadus. Vastu võetud 07.06.2006 RT I 2006, 30, 232, jõustumine 01.01.2007, osaliselt 01.07.2007) Chapter 4 - Forest management, paragraphs 37-39 and 41-42</p> <p>Legal Authority</p> <p>Environmental Inspectorate</p> <p>Legally required documents or records</p> <p>Felling permit</p> <p>Forest management plan</p> <p>Felling contract</p> <p>Timber hand over contract</p> | <p>Riigi Teataja (www.riigiteataja.ee)</p> <p>http://barometer.wwf.org.uk/what_we_do/government_barometer/score_s_by_country/country_answers.cfm?country=Estonia</p> <p>Presentation "PREPARATIONS FOR IMPLEMENTATION IN ESTONIA" Alar Soo Nature Conservation Department Friday 8th February 2013, Head of Department - http://www.illegal-</p> | <p>Low risk</p> <p>According to the Estonian Competent Authority, the requirements of the EUTR were already in existing Estonian laws. The legislation addresses both provisions of the EUTR with regard to the prohibition and the due diligence requirements. There are penalties that are considered to be robust. There is also clear evidence that there are fewer violations in the forestry sector when it comes to the Forest Act. Timber can be confiscated throughout the supply chain. The competent authority (Keskkonnainspektsioon, KKI) is empowered to act and staff have been trained. There are procedures to assess third-party evidence and these are publicly available.</p> <p>The Forest Act requires that operators at the forest level prove the legality of the timber when they sell it (s 37(1)). The Act also requires that (s 37(8)) upon transfer, the transferor (the operator) and the acquirer must enter into a written transfer deed for timber or other private law contract or prepare a written legal instrument upon conclusion of an oral agreement.</p> <p>Forest owners are required to follow forest act and related acts and prescriptions from the Environmental Board (if there are any). They must have valid forest inventory or forest management plan, felling permit and they must fill a waybill when they are sending the timber away from forest. Saving the related documents for 7 years is also required by the law.</p> <p>There are 35-45 staff working within the competent authority (CA), dedicated to EUTR as part of their job. Two importers and around 250 operators have been assessed overall with a breakdown of domestic operators and importers. The checks conducted have not taken place further up the supply chain, but there is a process to ensure that this is taken account of in the future. Websites that provide information are available.</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|-----------|---|--|--|
| | | logging.info/sites/default/files/uploads/AlarSoo080213.pdf | <p>Article 5 of the Commission Implementing Regulation (EU) No 607/2012 requires that 'information concerning the operator's supply as provided for in Article 6(1)(a) of Regulation (EU) No 995/2010 and application of risk mitigation procedures shall be documented through adequate records, which shall be stored for five years and made available for checks by the competent authority.' Many companies that don't have such written procedures.</p> <p>There is limited evidence to suggest that the DDS requirements are uniformly enforced at forest level. However, since low risk has been found in CW Categories 1.1-1.20, it is concluded that the potential impact of this lack of enforcement will be limited both in impact and in scale. As a consequence the risk has been concluded to be low.</p> |

Recommended control measures

N/A

Controlled wood category 2: Wood harvested in violation of traditional and human rights

Risk assessment

| Indicator | Sources of Information | Functional scale | Risk designation and determination |
|---|------------------------------|------------------|---|
| 2.1. The forest sector is not associated with violent armed conflict, including that which threatens national or regional security and/or linked to military control. | See detailed analysis below. | Country | Low risk Justification: All 'low risk thresholds (1, 2, 3, 4 and 5) are met. None of the 'specified risk thresholds' are met. |
| 2.2. Labour rights are respected including rights as specified in ILO Fundamental Principles and Rights at work. | See detailed analysis below. | Country | Specified risk for gender wage discrimination Justification: 'Specified Risk' threshold (15) applies. |
| 2.3. The rights of Indigenous and Traditional Peoples are upheld. | See detailed analysis below. | Country | Low risk Justification: 'Low risk' thresholds (16) and (21) apply. |

Recommended control measures

N/A

Detailed analysis

| Sources of information | Evidence | Scale of risk assessment | Risk indication ¹ |
|--|---|--------------------------|------------------------------|
| Context (the following are indicators that help to contextualize the information from other sources) <ul style="list-style-type: none"> Searching for data on: level of corruption, governance, lawlessness, fragility of the State, freedom of journalism, freedom of speech, peace, human rights, armed or violent conflicts by or in the country, etc. | | | |
| World Bank: Worldwide Governance Indicators - the WGI report aggregate and individual governance indicators for 215 countries (most recently for 1996–2012), for six dimensions of governance: Voice and Accountability; Political Stability and Absence of Violence; Government Effectiveness; Regulatory Quality; Rule of Law; Control of Corruption http://info.worldbank.org/governance/wgi/index.aspx#home | http://info.worldbank.org/governance/wgi/index.aspx#reports (click on table view tab and select Country) In 2013 (latest available year) Estonia scores 68.2 for Political Stability and Absence of Violence/Terrorism. The other five scores are between 78.5 (for Government Effectiveness) and 90.4 (for Regulatory Quality) on the percentile rank among all countries for all six dimensions (the scores range from 0 (lowest rank) to 100 (highest rank) with higher values corresponding to better outcomes). | Country | |
| World Bank Harmonized List of Fragile Situations: http://siteresources.worldbank.org/EXTLICUS/Resources/511777-1269623894864/Fragile_Situations_List_FY11_%28Oct_19_2010%29.pdf | Estonia does not feature on this list. | Country | |
| Committee to Protect Journalists: Impunity Index CPJ's Impunity Index calculates the number of unsolved journalist murders as a percentage of each country's population. For this index, CPJ examined journalist murders that occurred between January 1, 2004, and December 31, 2013, and that remain unsolved. Only those nations with five or more unsolved cases are included on this index. http://cpj.org/reports/2014/04/impunity-index-getting-away-with-murder.php | http://cpj.org/reports/2014/04/impunity-index-getting-away-with-murder.php#index Estonia does not feature on this list. | Country | |
| Carleton University: Country Indicators for Foreign Policy: the Failed and Fragile States project of Carleton University examines state fragility using a combination of structural data and current event monitoring http://www4.carleton.ca/cifp/ffs.htm | http://www4.carleton.ca/cifp/app/serve.php/1419.pdf Estonia scores med-low on the State fragility map 2011. | Country | |
| Human Rights Watch: http://www.hrw.org | http://www.hrw.org/world-report/2014/country-chapters Estonia does not feature in Human rights Watch World Report 2014 | Country | |
| US AID: www.usaid.gov | No information found on specified risks after searching Estonia + 'human rights' 'conflicts' 'timber conflicts'. | Country | |

¹ A risk indication is provided for each source analyzed, except in the first part that addresses the general country context as that is not a risk indicator. A cumulative risk assessment for each risk indicator is provided in the row with the conclusion on each risk indicator, based on all the sources analyzed and evidence found.

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|---|--|---------|--|
| Search on website for [country] + 'human rights' 'conflicts' 'conflict timber' For Africa and Asia also use: http://pdf.usaid.gov/pdf_docs/pnact462.pdf | | | |
| Global Witness: www.globalwitness.org Search on website for [country] + 'human rights' 'conflicts' 'conflict timber' | Estonia does not feature on the Global Witness website. | Country | |
| WWF report: Failing the Forests; Europe's illegal timber trade. (2005) http://www.wwf.se/source.php/1120070/FailingForests.pdf | This report estimated in 2007 that in Estonia 0.7 of the total 2.5 million cubic metres RWE volume timber imports from six given regions was illegal. "The Baltic States – Estonia, Latvia and Lithuania – acceded to the EU during 2004. They are the only supplying countries that are both covered in detail by this report and are Member States of the EU. They are included not least to indicate the scale of probable trade in illegal timber between EU countries (including that which derives from forest within the EU). These three countries' timber and paper sectors account for a substantial share in their GDP and exports. Consequently, minimising illegal timber exports could have a substantial and beneficial impact on their economy (and governance). Activities that contribute to the trade in illegal timber in the region include tax fraud, weak enforcement capacity and unsuitable legislation." Remark by the assessor: It is noted that this report is written seven (7) years ago. | Country | |
| http://wwf.panda.org/about_our_earth/about_forests/deforestation/forest_illegal_logging/ | The last case study report from illegal logging on this website is from 2003, reporting cases from 2002. | Country | |
| Chattam House Illegal Logging Indicators Country Report Card http://www.illegal-logging.info | http://www.illegal-logging.info/content/estonia-moves-closer-full-implementation-timber-certification-system News on 30 November 2011: "Estonia moves closer to full implementation of timber certification system." No information found on specified risks after searching Estonia. | Country | |
| Transparency International Corruption Perceptions Index http://cpi.transparency.org/cpi2013/results/ | Estonia scores 68 points on the Corruption Perceptions Index 2013 on a scale from 0 (highly corrupt) to 100 (very clean). Estonia ranks 28 out of 177 with rank nr. 1 being the most clean country. | Country | |
| Amnesty International Annual Report: The state of the world's human rights -information on key human rights issues, including: freedom of expression; international justice; corporate accountability; the death penalty; and reproductive rights | http://files.amnesty.org/air13/AmnestyInternational_AnnualReport2013_complete_en.pdf Country chapter on Estonia "Discrimination – ethnic minorities About 100,000 people (approximately 7% of the population) remained stateless. The large majority of these were Russian speakers. Children born of stateless parents continued to be denied automatic citizenship, although a simplified naturalization procedure was available to them. Stateless people continued to be denied political rights. They were reportedly disproportionately affected by poverty and unemployment. Language requirements appeared to be one of the main obstacles for Russian speakers to access citizenship and other rights." „Legal, constitutional or institutional developments | Country | |

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|--|--|---------------------------------|------------------------|
| | The Chancellor of Justice – acting as Ombudsman and national preventive mechanism under the Optional Protocol to the UN Convention against Torture – failed to meet the requirements of the Paris Principles for independent national human rights institutions. The definition of torture and the penalties provided for that crime in the Criminal Code remained inconsistent with the requirements of the Convention against Torture.” (pages 93, 94) | | |
| Freedom House http://www.freedomhouse.org/ | https://freedomhouse.org/country/estonia#.VGz0cfnF_Gg The status of Estonia on the Freedom in the World index 2014 is ‘free’. https://freedomhouse.org/report/freedom-press/freedom-press-2014#.VGzy5vnF_Gg The status of Estonia on the Freedom of the Press 2014 is ‘free’. https://www.freedomhouse.org/report-types/freedom-net#.VGzzvfnF_Gg The status of Estonia on the Freedom on the Net 2013 is ‘free’. | Country | |
| Reporters without Borders: Press Freedom Index | 2013: http://en.rsf.org/spip.php?page=classement&id_rubrique=1054 Estonia ranks nr. 11 out of 179 with a score of 9.26 on the 2013 World Press Freedom Index, which is the highest of the Baltic States. http://en.rsf.org/report-estonia.102.html The website categorizes the press freedom in Estonia to be in a “good situation” . | Country | |
| Fund for Peace - Failed States Index of Highest Alert - the Fund for Peace is a US-based non-profit research and educational organization that works to prevent violent conflict and promote security. The Failed States Index is an annual ranking, first published in 2005, of 177 nations based on their levels of stability and capacity http://www.fundforpeace.org/global/?q=cr-10-99-fs In 2014 the FFP changed the name of the Failed State Index to the Fragile State Index: http://ffp.statesindex.org/rankings-2013-sortable | http://ffp.statesindex.org/rankings-2013-sortable Estonia is ranked 145 out of 178 countries on the failed states index. (nr 1 being the most failed state). Estonia ranks on the high side in the category ‘stable’ halfway to ‘sustainable’. | Country | |
| The Global Peace Index. Published by the Institute for Economics & Peace, This index is the world’s leading measure of national peacefulness. It ranks 162 nations according to their absence of violence. It’s made up of 23 indicators, ranging from a nation’s level of military expenditure to its relations with neighbouring countries and the level of respect for human rights. Source: The Guardian: http://economicsandpeace.org/research/iep-indices-data/global-peace-index | http://www.visionofhumanity.org/#/page/indexes/global-peace-index http://www.visionofhumanity.org/sites/default/files/2014%20GPI%20MAP.pdf The state of peace in Estonia is categorized ‘High’ with Estonia ranking 31 out of 162 countries with a score of 1.635 | Country | |
| Additional sources of information (These sources were partly found by Googling the terms '[country]', 'timber', 'conflict', 'illegal logging') | Evidence | Scale of risk assessment | Risk indication |
| Wikipedia on Estonia-Russian relations | http://en.wikipedia.org/wiki/Estonia%E2%80%93Russia_relations “Language and citizenship issues | Country | |

During the Soviet period the share of Russophones in Estonia increased from less than a tenth to over a third, and to almost half in the capital Tallinn, and even to a majority in some districts in North East Estonia. (See Demographics of Estonia and Estonian SSR: Demographic changes.) In contrast to the long-standing pre-World War II Russian minority in Estonia, these were Soviet economic migrants. Russian was an official language in parallel to, and in practice often instead of, Estonian in Estonian SSR and there were no integration efforts during the Soviet time, resulting in considerable groups of people knowing very little or no Estonian.

After Estonia re-established independence, Estonian again became the only official language. The mass deportations of ethnic Estonians during the Soviet era together with migration into Estonia from other parts of the Soviet Union resulted in the share of ethnic Estonians in the country decreasing from 88% in 1934 to 62% in 1989. (See Demographics of Estonia.) In 1992, the Citizenship Act of the Republic of Estonia was reinstated according to the pre-Soviet invasion status quo in 1940. Throughout the years of occupations (the major democracies of the world never accepted the forcible incorporation of the Baltic States by the USSR in 1940), the pre-Soviet invasion Estonian citizens and their descendants never lost their citizenship, regardless of their ethnic origin, be it Estonian, Russian (8.2% of the citizenry by the 1934 census), German or any other, according to the jus sanguinis principle. Conditions for acquiring and receiving Estonian citizenship for post-1940 settlers and their descendants in Estonia are an examination in knowledge of the Estonian language and an examination in knowledge of the Constitution of Estonia and the Law. Applicants for Estonian citizenship who were born prior to 1 January 1930, or hearing or speech disabled, permanently disabled, et cetera, are exempt from the requirements.

Currently about a third of Estonia's Russophones are Estonian citizens, another third have Russian citizenship. At the same time in 2006 around 9% of Estonia's residents were of undefined citizenship. While there have been calls for the return of all Estonia's Russians to Russia, the Government of Estonia has been adopting an integration policy, advocating an idea that Estonia's residents should possess at least a basic knowledge of the Estonian language.

People who arrived in the country after 1940 qualify for naturalization if they have general knowledge of Estonian language and the Constitution, have legally resided in Estonia for at least eight years, the last five of them permanently, have a registered place of residence in Estonia and a permanent legal income. Russia has repeatedly condemned Estonian citizenship laws and demanded that Estonia grant its citizenship without (or by a greatly simplified) naturalization procedure.[citation needed] The perceived difficulty of the language tests necessary for naturalisation has been one of the controversial issues.[citation needed] In February 2002, Russian Deputy Foreign Minister Yevgeni Gussarov presented to Estonian ambassador Karin Jaani a non-paper list of seven demands to be fulfilled by Estonia in order to improve the relations of the two countries. These demands included making Russian an official language in the regions where the russophone minority was actually a majority, granting citizenship by naturalization to at least 20,000 residents annually, stopping prosecuting the persons who had been involved in the deportation of Estonians, official registering the Russian Orthodox Church, providing secondary and higher education in Russian language.”

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| news.err.ee Estonian Public Broadcasting | http://news.err.ee/v/politics/230f7dcc-d0d4-4fba-aef2-eb672f840656 11/17/2014 4:59 PM "Professor: Russia might want to create a frozen conflict similar to Ukraine in Estonia & Latvia Jack Snyder, professor of International Relations at the Columbia University in New York, said to Finnish TV channel MTV on Sunday that Russia may aim at stirring up a frozen conflict in the two Baltic states, under the disguise of protecting the interests of Russian-speaking minorities. When talking about 'frozen conflict', the professor meant a situation similar to East Ukraine in which the active armed conflict has been initiated first, then brought to an end, but no peace treaty or other agreement resolving the conflict. Snyder said Moscow has destabilised Ukraine, so that it could keep the country under its control. "When we look at the recent history, we learn that Putin sends Russian forces to invade a sovereign country which will effectively 'freeze' its ability to function independently. That is why it is important that the ex-Soviet states take a good care of the local Russian population, to avoid giving Putin a reason to intervene with force," Snyder said. Last week, Vladimir Putin's advisor Sergei Markov said on Swedish television that Swedes should not fear Russia. But Markov threatened Estonia and Latvia instead, saying that in case of major war, nothing would be left of these two countries." | Country | |
| Minority Rights www.minorityrights.org | http://www.minorityrights.org/2443/estonia/estonia-overview.html "Current state of minorities and indigenous peoples The voting and political representation rights of non-citizens continue to be an issue in Estonia. In 2004 the proportion of the Estonian population without Estonian citizenship was estimated at around 19 per cent; according to official data published by the Estonian Ministry of Foreign Affairs in 2006, that figure that been reduced to 16.4 per cent. Official sources now show that the number of people who have successfully naturalized (140,000) exceeds the number of residents of undetermined citizenship (120,000)." | Country | |
| www.illegal-logging.info | http://www.illegal-logging.info/regions/estonia "52% of Estonia is covered by forests, and while its total forest cover grew between 1990 and 2005, it has since been decreasing at an annual rate of 0.3% (FAO 2010). 40% of the country's forests are state-owned, while the remainder have been privatised and are now under the ownership of businesses and individuals (FAO 2010). Estonia has a voluntary public procurement policy for timber products which requires that they be both legal and sustainable, and that their origin be traceable (WWF 2012). Estonia's imports are subject to the requirements of the EU Timber Regulation." | Country | |
| Wikipedia on illegal logging | http://en.wikipedia.org/wiki/Illegal_logging "For example, the Republic of Estonia calculated an amount of 1% illegally harvested timber in 2003, whereas it is estimated to reach a maximum of 50% by the ENGO "Estonian Green Movement". Remark by the assessor: The data from Estonian Green Movement are from 2004." | Country | |
| Greenpeace | http://www.greenpeace.org.uk/MultimediaFiles/Live/FullReport/6759.pdf "In addition, illegal logging is a serious problem in Russia and some Central and Eastern European countries, including Ukraine, Romania, Bulgaria, Latvia and Estonia." | Country | |
| | No other relevant information found on "Estonia" + "conflict" and "Estonia" + "illegal logging". All other sources reporting a higher level of illegal logging in Estonia are older than 5 years. | Country | |

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| <p>Information obtained from FSC Network Partner: Info on illegal logging</p> | <p>“We need advice from FSC on how to answer this question: whether it is asked about the existence of logging related laws or the actual enforcement of these laws. We have evidence from both sides, logging related laws are present and have to be followed, the statistics of the Environmental Inspectorate’s data shows that the amount of violations of forest rules of law have decreased. The problems remain high concerning tax fraud and use of illegal workforce. In order to fraud the tax and customs board the companies hide the real source of wood therefore making it impossible to decide over it’s origin or legality.” Risk indication: “Unspecified risk” “The main illegal activities in Estonian timber market have got to do with tax fraud and illegal work force.” (..) “The amount of illegal harvesting in Estonia has reduced but it still remains a problem. Justification: The amount of illegal logging at the year 2004 was about 1% of the whole volume of harvested wood. The amount of violations of forest rules of law has decreased over the years from 1480 in the year 2004 to 181 in 2009. Source: The ministry of Environment (www.envir.ee); The Environmental Inspectorate yearbook Forest 2009: (http://www.keskkonnainfo.ee/main/index.php/et/component/content/article/215?tmpl=component).</p> | <p>Country</p> | |
| <p>Conclusion on country context: Estonia scores good or very good on all indicators reviewed in this section on the country context, such as in relation to press freedom, peace, governance and absence of corruption. A few issues are reported in relation to the rights of the Russian minority and to the political tension between Estonia (and other Baltic states) and Russia. These issues do not seem to be at an urgent and alarming level.</p> <p>The ongoing tension between the Baltic states and Russia is part of a geo-political dynamics that is of high concern to, at least, whole Europe for a long time, but certainly since the escalation of the conflict in Ukraine. It is an obvious issue to be aware of as part of the wider country context because if this conflict escalates it could have an impact on the stability of the country. At this moment this is not considered to be a real threat</p> <p>Estonia is also reported as a source of illegal timber, although new (EU) regulations and policies are in place to combat illegal logging. Some sources explicitly conclude that the situation has improved in the past 10 years. Indirect evidence for this conclusion is that there is a substantial number of sources older than 5 years that have assessed illegal logging (or import of illegal timber) in Estonia and hardly any sources from 5 years ago or younger with the same conclusion. The exemption is the Greenpeace factsheet which could not be substantiated by other sources – which does not mean that it is incorrect.</p> | | <p>Country</p> | |
| <p>Indicator 2.1. The forest sector is not associated with violent armed conflict, including that which threatens national or regional security and/or linked to military control.</p> | | | |
| <p>Guidance</p> <ul style="list-style-type: none"> • Is the country covered by a UN security ban on exporting timber? • Is the country covered by any other international ban on timber export? • Are there individuals or entities involved in the forest sector that are facing UN sanctions? | | | |
| <p>Compendium of United Nations Security Council Sanctions Lists http://www.un.org/sc/committees/list_compend.shtml</p> | <p>http://www.un.org/sc/committees/consolidated.pdf Consolidated United Nations Security Council Sanctions List; Last updated on: 20 November 2014</p> | <p>Country</p> | <p>Low risk</p> |
| <p>US AID: www.usaid.gov</p> | <p>The Consolidated List includes all individuals and entities subject to sanctions measures imposed by the Security Council.</p> | | |
| <p>Global Witness: www.globalwitness.org</p> | <p>There are no individuals or entities from Estonia that are facing UN sanctions.</p> <p>There is no UN Security Council ban on timber exports from Estonia.</p> | | |

| | | | |
|--|---|---------|----------|
| | Estonia is not covered by any other international ban on timber export. | | |
| Information obtained from FSC Network Partner | "There is no UN Security Council export ban on the country. Source: „Global Witness“ (http://www.globalwitness.org/pages/en/forests.html)" | Country | Low risk |
| Guidance | | | |
| <ul style="list-style-type: none"> Is the country a source of conflict timber? If so, is it at the country level or only an issue in specific regions? If so – which regions? Is the conflict timber related to specific entities? If so, which entities or types of entities? | | | |
| www.usaid.gov http://pdf.usaid.gov/pdf_docs/pnact462.pdf Conflict Timber is defined by US AID as: - conflict financed or sustained through the harvest and sale of timber (Type 1), - conflict emerging as a result of competition over timber or other forest resources (Type 2) Also check overlap with indicator 2.3 | No information on conflict timber related to Estonia found on the website of USAID. Estonia does not feature in this report. | Country | Low risk |
| www.globalwitness.org/campaigns/environment/forests | Estonia does not feature on this website. | Country | Low risk |
| Human Rights Watch: http://www.hrw.org/ | No information on conflict timber related to Estonia found on this website. | Country | Low risk |
| World Resources Institute: Governance of Forests Initiative Indicator Framework (Version 1) http://pdf.wri.org/working_papers/gfi_tenure_indicators_sep09.pdf Now: PROFOR http://www.profor.info/node/1998 | This work resulted in a publication: Assessing and Monitoring Forest Governance: A user's guide to a diagnostic tool (available on this page) published by PROFOR in June 2012. This tool has not yet been applied to Estonia. No information on conflict timber related to Estonia found on the profor.info website. | Country | Low risk |
| Amnesty International Annual Report: The state of the world's human rights -information on key human rights issues, including: freedom of expression; international justice; corporate accountability; the death penalty; and reproductive rights http://www.amnesty.org/en/annual-report/2011/ http://amnesty.org/en/annual-report/2013/ | http://amnesty.org/en/annual-report/2013/ No domestic armed conflicts nor evidence for conflict timber are reported in the Annual Report 2010 nor 2013. | Country | Low risk |
| World Bank: Worldwide Governance Indicators - the WGIs report aggregate and individual governance indicators for 213 economies (most recently for 1996–2012), for six dimensions of governance: Voice and Accountability; Political Stability and Absence of Violence; Government Effectiveness; Regulatory Quality; Rule of Law; Control of Corruption http://info.worldbank.org/governance/wqi/index.aspx#home Use indicator 'Political stability and Absence of violence' specific for indicator 2.1 | In 2013 (latest available year) Estonia scores on the indicator political stability and absence of violence place 68.25 on the percentile rank among all countries (ranges from 0 (lowest) to 100 (highest) rank) with higher values corresponding to better outcomes. | Country | Low risk |
| Greenpeace: www.greenpeace.org Search for 'conflict timber [country]' | No information on conflict timber related to Estonia found. | Country | Low risk |

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| CIFOR: http://www.cifor.org/ ; http://www.cifor.org/publications/Corporate/FactSheet/forests_conflict.htm | Estonia is not mentioned in this fact sheet. | Country | Low risk |
| Google the terms '[country]' and one of following terms or in combination 'conflict timber', 'illegal logging' | http://www.geneva-academy.ch/RULAC/state.php?id_state=63 Estonia is currently only engaged in the armed conflict (peacekeeping mission) in Afghanistan. No other information found on Estonia related to conflict timber or illegal logging. | Country | Low risk |
| Information obtained from FSC Network Partner | "The country is not associated with or designated as source of conflict timber according to latest available research. Source: „Conflict Timber: Dimensions of the Problem in Asia and Africa Volume I Synthesis Report“ (www.usaid.gov), (www.forestconflict.com)" | Country | Low risk |
| Conclusion on indicator 2.1: No information was found on conflict timber in or from Estonia. The following low risk thresholds apply: (1) The area under assessment is not a source of conflict timber ² ; AND (2) The country is not covered by a UN security ban on exporting timber; AND (3) The country is not covered by any other international ban on timber export; AND (4) Operators in the area under assessment are not involved in conflict timber supply/trade; AND (5) Other available evidence does not challenge 'low risk' designation. | | Country | Low risk |
| Indicator 2.2. Labour rights are respected including rights as specified in ILO Fundamental Principles and Rights at work. | | | |
| Guidance | | | |
| <ul style="list-style-type: none"> • Are the social rights covered by the relevant legislation and enforced in the country or area concerned? (refer to category 1) • Are rights like freedom of association and collective bargaining upheld? • Is there evidence confirming absence of compulsory and/or forced labour? • Is there evidence confirming absence of discrimination in respect of employment and/or occupation, and/or gender? • Is there evidence confirming absence of child labour? • Is the country signatory to the relevant ILO Conventions? • Is there evidence that any groups (including women) feel adequately protected related to the rights mentioned above? • Are any violations of labour rights limited to specific sectors? | | | |
| general sources from FSC-PRO-60-002a V1-0 EN | information found and specific sources | scale of risk assessment | risk indication |
| Status of ratification of fundamental ILO conventions: http://www.ilo.org/dyn/normlex/en/f?p=1000:11001:0::NQ:: or use: ILO Core Conventions Database: http://www.ilo.org/ilolex/english/docs/declworld.htm C29 Forced Labour Convention, 1930 | Estonia has ratified all eight fundamental labour conventions of the ILO. Outcome category 1 not available. | Country | Low risk |

² "Conflict timber" limited to include "timber that has been traded at some point in the chain of custody by armed groups, be they rebel factions or regular soldiers, or by a civilian administration involved in armed conflict or its representatives, either to perpetuate conflict or take advantage of conflict situations for personal gain - conflict timber is not necessarily illegal.

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| <p>C87 Freedom of Association and Protection of the Right to Organise Convention, 1948 C98 Right to Organise and Collective Bargaining Convention, 1949 C100 Equal Remuneration Convention, 1951 C105 Abolition of Forced Labour Convention, 1957 C111 Discrimination (Employment and Occupation) Convention, 1958 C138 Minimum Age Convention, 1973 C182 Worst Forms of Child Labour Convention, 1999</p> <p>Ratification as such should be checked under Category 1. In Cat. 2 we take that outcome into consideration. Refer to it.</p> | | | |
| <p>ILO Declaration on Fundamental Principles and Rights at Work. Country reports. http://www.ilo.org/declaration/lang--en/index.htm Source of several reports. Search for 'racial discrimination', 'child labour', 'forced labour', 'gender equality', 'freedom of association'</p> | <p>http://www.ilo.org/budapest/countries-covered/estonia/lang--en/index.htm “Estonia is a member state of the ILO since 1992. The country has ratified 32 ILO International Labour Standards (Conventions), including the eight fundamental Conventions.”</p> <p>http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_082021.pdf “Other countries, such as Estonia, Latvia, the Slovak Republic and Slovenia, as new entrants to the European Union, and aspirants to the European Union (Ukraine, Turkey and Romania), while supplying cheap labour to other EU countries, will also attract numerous regular and irregular migrants from poorer countries. Accordingly, these countries will need laws that criminalize the recruitment of labour (for the purpose of forced labour exploitation in other countries) and penal laws that punish exploitation for forced labour purposes within their own territories. All countries that are members of the European Union must comply with the EU Council Framework Decision of 19 July 2002 and criminalize all forms of trafficking in persons.⁵⁹ Other countries in Eastern Europe have developed penal laws that punish forced labour exploitation in their own countries, and some countries have successfully prosecuted cases of forced labour exploitation. As mentioned above, Moldova has recently enacted a new penal law that effectively criminalizes a set of illegal acts that result in compelling the involuntary consent of an individual for forced labour purposes. Nevertheless, considerable work must still be done, as all countries within Europe should enact laws and develop trafficking plans to combat forced labour exploitation.”</p> <p>http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_182004.pdf ILO Global Estimate of Forced Labour; Results and Methodology; 2012 “When the prevalence of forced labour (number of victims per thousand inhabitants) is examined, the rate is highest in the Central and South-Eastern Europe and Commonwealth of Independent States (CSEE & CIS) and Africa (AFR) regions at 4.2 and 4.0 per 1,000 inhabitants respectively, and lowest in the Developed Economies & European Union (DE & EU) at 1.5 per 1,000 inhabitants (Figure 4). The Middle East (ME), Asia-Pacific (AP) and Latin</p> | <p>Country</p> | <p>Low risk</p> |

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| | <p>America and the Caribbean (LA) regions lie in the middle of the range, at 3.4, 3.3 and 3.1 per 1,000 respectively. The relatively high prevalence in Central and South Eastern Europe and CIS reflects the fact that the population is much lower than for example in Asia, while reports of trafficking for labour and sexual exploitation and of state-imposed forced labour in the region are numerous. The low rate in the Developed Economies and European Union may be attributed to the more effective regulatory mechanisms in place in these countries.</p> <p>http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_089199.pdf International Labour Conference; 96th Session, 2007; Report III (Part 1B) “83. The protection of victims of trafficking (as well as, more generally, protection of witnesses) may contribute to law enforcement and to the effective punishment of perpetrators, as required both under article 5 of the Palermo Protocol and Article 25 of Convention No. 29. (..) “Since the adoption of the Palermo Protocol, many countries have adopted provisions of this kind, allowing victims to remain in the country following detection and ensuring other victim/witness protection measures.¹⁸⁸ [footnote 188:] “For example, (..) Estonia (Witness Protection Law, which came into force on 21 July 2005) (..).”</p> <p>http://www.ilo.org/wcmsp5/groups/public/---africa/documents/meetingdocument/wcms_228972.pdf MODERN POLICY AND LEGISLATIVE; RESPONSES TO CHILD LABOUR; 2007 <i>Action to address hazardous work by children</i> “In Estonia, a parent, guardian, curator or labour inspector may demand termination of an employment contract entered into with a minor if the work endangers the health, morality or education of the minor.” (..) <i>Other forms of forced or compulsory labour</i> “In Estonia, placing a human being, through violence or deceit, in a situation where he or she is forced to work or perform other duties against his or her will for the benefit of another person, or keeping a person in such a situation, is punishable by 1 to 5 years’ imprisonment. The same act, if committed a) against two or more persons or b) against a person of less than 18 years of age, is punishable by 3 to 12 years’ imprisonment.” Estonia is one of the 115 Parties of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.</p> <p>http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_324678.pdf Global Wage Report 2014/14; ILO “The gaps are provided in absolute values: for example, in the first decile in Belgium there is an unadjusted gender wage gap of about €400, whereas in Estonia it is about €50. The shapes of the decompositions vary across countries and across groups. In Belgium and Estonia, women receive lower wages than men throughout the distribution, but the unexplained part of the gap tends to be higher among better-paid women.”</p> | | Country |
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| | Figure 37(a) on page 69 show a large gender wage gap which remains largely unexplained in Estonia. | | Specified risk on gender pay gap |
| ILO Child Labour Country Dashboard: http://www.ilo.org/ipecc/Regionsandcountries/lang-en/index.htm | Estonia does not feature on this website. | Country | Low risk |
| Global March Against Child Labour: http://www.globalmarch.org/ | No reference to Estonia found. | Country | Low risk |
| Office of the United Nations High Commissioner for Human Rights (OHCHR), Committee on Rights of the Child: http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx | <p>http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/117/59/PDF/G0811759.pdf?OpenElement</p> <p>Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Doudou Diène; Addendum; MISSION TO ESTONIA; 17 March 2008</p> <p>“The Special Rapporteur concludes that the Estonian authorities, in particular the Prime Minister, has shown political will to tackle the problems related to racism and racial discrimination in the country, highlighting however that it needs to be constantly reinforced and transformed into concrete actions. He also underlines the fact that Estonia has put in place some institutions that have been very sensitive to the issues relevant to his mandate.”</p> <p>“The Special Rapporteur also found a number of areas of concern, primarily concerning three distinct communities in Estonia: the Russian-speaking minority, the Roma community and non-European migrants. The main concerns of the Russian-speaking community are directly related to statelessness, which predominantly affects this group, and the country’s language policy, which is seen as an attempt to suppress the usage of Russian. Despite its small size, the Roma community in Estonia, as elsewhere in Europe, suffers mostly from structural discrimination, precarious education and marginalization. Lastly, non-European minorities have experienced a surge in racist violence, particularly by extremist groups and intolerance by some individuals concerning their ethnic, religious and cultural diversity. Although each of these communities faces different types of problems, a truly long-term solution can only be achieved by focusing on the promotion of multiculturalism and respect of diversity.”</p> <p>http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD/C/ES/T/CO/10-11&Lang=En</p> <p>Committee on the Elimination of Racial Discrimination; Concluding observations on the combined tenth and eleventh periodic reports of Estonia</p> <p><i>“Discrimination based on language proficiency</i></p> <p>10. The Committee is concerned that, while the Equal Treatment Act prohibits discrimination against an employee or potential employee based on criteria such as nationality (ethnic origin), different treatment due to Estonian language proficiency is not considered discrimination if such treatment is permitted by the Public Service Act or the Language Act. While noting the June 2014 amendment to the Language Act that redirected the power of the Language Inspectorate as of 1 January 2015 to impose monetary fines on employees with insufficient proficiency in the Estonian language to the employers, it is also concerned at the</p> | Country | Low risk |
| | | Country | Specified risk on |

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| | <p>discrepancies between the employment and income levels between the Estonian and non-Estonian population, including as a result of language proficiency (arts. 1, 4, 5 and 6).” (..)</p> <p><i>“Persons with undetermined citizenship</i></p> <p>11. While noting the reduction in the number of persons with undetermined citizenship during the period under review, the Committee remains concerned at the persistently high number of persons with undetermined citizenship. It is also concerned that, according to the 2011 census, the national origin of 19,344 persons in the State party is unknown (art. 5).”</p> <p>http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR/C/ES/T/CO/3&Lang=En</p> <p><i>Consideration of reports submitted by States parties under article 40 of the Covenant; Concluding observations of the Human Rights Committee; Estonia; 4 August 2010</i></p> <p>6. While welcoming the adoption of the 2004 Gender Equality Act to combat discrimination against women and the 2008 Equal Treatment Act, the Committee is concerned at the prevalence of discrimination against women in the State party, in particular in the labour market where the pay gap between men and women is about 40 per cent. It is also concerned about the overlap of competence between the Chancellor of Justice and the Gender Equality and Equal Treatment Commissioner in dealing with discrimination complaints, which may impede the effectiveness of both institutions in the area of gender equality. Furthermore, the Committee is concerned at the lack of human and financial resources granted to the Office of the Gender Equality and Equal Treatment Commissioner, and at the fact that the State party has not yet established the Gender Equality Council (art. 3).”</p> | Country | discrimination of non-Estonian employees Specified risk on discrimination of female employees |
| <p>ILO Helpdesk for Business on International Labour Standards: http://www.ilo.org/empent/areas/business-helpdesk/lang-en/index.htm</p> | <p>No additional evidence found through this link.</p> | Country | Low risk |
| <p>Committee on the Elimination of Discrimination against Women http://www.ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx</p> <p>(Use the link to ‘Key documents’ on the left hand side. Go to ‘observations’ and search for country.) (Refer to CW Cat. 1) Or: Right top select country click on CEDAW treaty, click on latest reporting period and select concluding observations</p> | <p>http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/EST/CO/4&Lang=En</p> <p><i>Concluding comments of the Committee on the Elimination of Discrimination against Women: Estonia; 10 August 2007</i></p> <p>“10. While noting the entry into force of the Gender Equality Act, the Committee is concerned that insufficient measures have been put in place to ensure its speedy and effective implementation. The Committee is in particular concerned that the State party continues to lack a comprehensive, consistent and sustainable approach to policies and programmes aimed at achieving women’s equality with men. The Committee is concerned about the delay in the establishment of the Gender Equality Council, which is to be created under the Gender Equality Act as an advisory body to the Government on matters relating to the promotion of gender equality. The Committee is concerned that the Gender Equality Commissioner may be given a mandate in other areas of discrimination and that she/he is lacking sufficient financial and human resources to carry out her/his responsibilities effectively under the Gender Equality Act.” (..)</p> <p>“12. The Committee continues to be concerned about the persistence of patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and in society in Estonia, which are reflected in women’s educational choices, their</p> | Country | Specified risk on discrimination of female employees |

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| | situation in the labour market and their underrepresentation in political and public life and decision-making positions. (..) (..) “22. While noting that under the Gender Equality Act employers are under an obligation to promote gender equality, the Committee continues to be concerned about the occupational segregation between women and men in the labour market and the significant gap in their wages. ” | | |
| Human Rights Watch: http://www.hrw.org/ | No information found on specified risks after searching Estonia. | Country | Low risk |
| Child Labour Index 2014 produced by Maplecroft. http://maplecroft.com/portfolio/new-analysis/2013/10/15/child-labour-risks-increase-china-and-russia-most-progress-shown-south-america-maplecroft-index/ | Estonia scores 'low risk' on the Child Labour Index 2014. | Country | Low risk |
| http://www.verite.org/Commodities/Timber (useful, specific on timber) | Estonia does not feature on this website. | Country | Low risk |
| The ITUC Global Rights Index ranks 139 countries against 97 internationally recognised indicators to assess where workers' rights are best protected, in law and in practice. The Survey provides information on violations of the rights to freedom of association, collective bargaining and strike as defined by ILO Conventions, in particular ILO Convention Nos. 87 and 98 as well as jurisprudence developed by the ILO supervisory mechanisms. http://www.ituc-csi.org/new-ituc-global-rights-index-the?lang=en | http://www.ituc-csi.org/IMG/pdf/survey_ra_2014_eng_v2.pdf Estonia is rated in category 1: “Irregular violation of rights”. This is the best ranking out of 5 ranks. It includes 18 countries out of the 139 countries ranked. Description of category 1: “Collective labour rights are generally guaranteed. Workers can freely associate and defend their rights collectively with the government and/or companies and can improve their working conditions through collective bargaining. Violations against workers are not absent but do not occur on a regular basis. | Country | Low risk |
| Google the terms '[country]' and one of following terms 'violation of labour rights', 'child labour', 'forced labour', 'slave labour', 'discrimination', 'gender gap labour', 'violation of labour union rights' 'violation of freedom of association and collective bargaining' European Commission | http://www.sm.ee/sites/default/files/content-editors/Ministeerium_kontaktid/Valjaanded/gender_pay_gap_estonia_analysis.pdf Gender Pay Gap in Estonia: Empirical Analysis <i>Based on an article by: Anspal, S., Kraut, L., Rõõm, T. (2010). Sooline palgalõhe Eestis: empiirilise analüüs. Uuringuraport. Eesti Rakendusuuringute Keskus CentAR, Poliitikauringute Keskus PRAXIS, Sotsiaalministeerium</i> “Of the EU member states, Estonia has the biggest difference between women’s and men’s wages. Figure 1.1 illustrates why this topic has become increasingly timely, taking particularly into account the events during recent years: Estonia’s general gender pay gap has increased in the period 2000–2007. In 2007, men in Estonia earned an average 30% more than women, whereas in the EU as a whole, the average gender pay gap was 15%. The smallest gender pay gap in EU countries was in Malta and Italy, where it was approximately 5%. http://ec.europa.eu/justice/gender-equality/gender-pay-gap/situation-europe/index_en.htm “From the new Eurostat estimates (based on the Structure of Earnings survey), it appears that there are considerable differences between the Member States in this regard, with the gender pay gap ranging from less than 10% in Slovenia, Malta, Poland, Italy, Luxembourg and Romania, to more than 20% in Hungary, Slovakia, the Czech Republic, Germany and Austria, and reaching 30% in Estonia. ” | Country | Specified risk on discrimination of female employees |

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| Statistics Estonia | <p>“However, the gender pay gap is not an indicator of the overall inequality between women and men since it only concerns salaried people. The gender pay gap must be looked at in conjunction with other indicators linked to the labour market, in particular those ones that reflect the different working patterns of women. In countries where the female employment rate is low (e.g. Italy), the pay gap is lower than average. This may be a reflection of the small proportion of low-skilled or unskilled women in the workforce. A high pay gap is usually characteristic of a labour market which is highly segregated, meaning that women are more concentrated in a restricted number of sectors and/or professions (e.g. Czech Republic, Estonia and Finland), or in which a significant proportion of women work part-time (e.g. Germany and Austria). Finally, institutional mechanisms and systems on wage setting can influence the pay gap.”</p> <p>http://www.stat.ee/72569 <i>The gender pay gap increased slightly in 2013</i>; 28 April 2014</p> | Country | Specified risk on discrimination of female employees |
| | <p>“According to Statistics Estonia, in October 2013, the gross hourly earnings of female employees were 24.8% lower than the gross hourly earnings of male employees, and the gender pay gap grew by 0.2 percentage points compared to the previous year. The gender pay gap was almost non-existent in transportation and storage.” (..)</p> <p>“Compared to 2012, the gender pay gap increased the most (by 14.9 percentage points) in other service activities (this includes laundries, dry-cleaning, beauty treatment etc.) and decreased the most (by 7.8 percentage points) in arts, entertainment and recreation. In both economic activities, there were big changes in the number of employees and hourly earnings.” (..)</p> <p>“Statistics Estonia and Eurostat use a different methodology to calculate the gender pay gap. The gender pay gap published by Eurostat does not take into account the indicators of enterprises and institutions with fewer than 10 employees; it also excludes the earnings of employees in agriculture, forestry and fishing and in public administration and defence.”</p> | Country | Specified risk on discrimination of female employees |
| | <p>http://pub.stat.ee/px-web.2001/Dialog/varval.asp?ma=WS5335&lang=1 The more detailed statistical database shows that the gender pay gap is much lower in the sector ‘Agriculture, forestry and fishing’ compared to average: In 2013 it has been 12.7% compared to 24.8%. In 2012 the gender pay gap in the agriculture, forestry and fishing sector was 7.0% and in 2011 it was 14.7%.</p> | Country | Low risk |
| | <p>http://ec.europa.eu/justice/gender-equality/gender-pay-gap/situation-europe/index_en.htm Average gender pay gap in EU27 is 16.4%. Estonia has a gender pay gap of 30% which is by far the largest gender pay gap in this statistic. See also the explanation from <i>Statistics Estonia</i> on this difference, above.</p> <p>http://reports.weforum.org/global-gender-gap-report-2014/economies/#economy=EST Global Gender Gap Report 2014; World Economic Forum Estonia ranks 62 (out of 142 countries) with a score of 0.702 (0.00 = inequality, 1.00 = equality). Estonia only ranks 95 for the indicator <i>Wage equality for similar work</i> (survey).</p> | Country | Specified risk on discrimination of female employees |

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| <p>Eurostat</p> <p>World Economic Forum; Gender Gap Index 2014</p> <p>WikiGender</p> | <p>http://www.wikigender.org/index.php/Gender_Equality_in_Estonia#Employment <i>Gender Equality in Estonia; Employment</i> “Although the employment rate of women aged 15-74 is relatively high (58.7% in 2013), the gender employment gap is still 7.1 percentage points, as the employment rate of men was 65.8% in 2013. The employment gap stems mainly from age group 25-49, as there are even slightly more women than men working in the age 50-64. Men are somewhat more affected by the unemployment. In 2013 the unemployment rate was 9.1% for men and 8.2% for women. Unlike in many other counties, most employed women in Estonia are working full time. Only 14.2% of women and 6.2% of men were working part time in 2013. Due to traditions, lack of childcare opportunities and remarkable shortage of part-time jobs (due to legislative framework), many Estonian women with small children tend to remain inactive. They return to full-time work only once their children have grown to age 2-3 (employment rate of the mothers of 0-2-years old children was 23.2% in 2013). One of the reasons why part-time work is not popular in Estonia is the low standard of living; part-time work does not ensure sufficient subsistence. The labour market in Estonia is highly segregated. The percentage of women is the highest in health and social work, education and retail trade — 80–90% of people engaged in these areas are female. The percentage of women is high also in financial intermediation, accommodation and food service. In construction, energy, land transport and forestry, the employees are mostly male. The percentage of women in these areas is below 25%. Due to segregation, but mainly for other reasons, the gender pay gap is quite high. Female gross hourly earnings in 2012 were 75% of male earnings.”</p> | <p>Country</p> | <p>Specified risk on discrimination of female employees</p> |
| <p>Additional general sources</p> | <p>Additional specific sources</p> | | |
| <p>Information obtained from FSC Network Partner</p> | <p>“We need advice from FSC on how to answer this question: whether it is asked about the existence of logging related laws or the actual enforcement of these laws. We have evidence from both sides, logging related laws are present and have to be followed, the statistics of the Environmental Inspectorate’s data shows that the amount of violations of forest rules of law have decreased. The problems remain high concerning tax fraud and use of illegal workforce. In order to fraud the tax and customs board the companies hide the real source of wood therefore making it impossible to decide over it's origin or legality.”</p> <p>Update from FSC Estonia (as comment on preliminary draft version of this analysis): “The Tax and Customs Board (is) (..) continuously monitoring the progress regarding workers without official contracts on the field and for 2014 their findings showed that the percentage of unregistered workers was 27,7%.” This is an improvement but the number is still high.</p> <p>“2.3 There is no evidence of child labor or violation of ILO Fundamental Principles and Rights at work taking place in forest areas in the district concerned. Risk status for this indicator is „unspecified risk“.</p> | <p>Country</p> | <p>Specified risk on use of illegal workforce</p> |

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| | <p>Justification: Recent field audits by the Tax and Customs Board have revealed that workforce with legal employment contracts is used widely in forest areas, therefore ILO fundamental principles of fair wages, safe working conditions, elimination of discrimination and respect of their rights as human beings and workers cannot be guaranteed.</p> <p>Source: The Tax and Customs Board (www.emta.ee)</p> <p>Extensive justification: The Tax and Customs Board made field audits to harvest sites all over Estonia from February to March 2011. All together 15 harvesting sites were visited of which 9 sites had workers without legal contracts of employment (including four State Forest Management Centre harvesting sites). Therefore illegal labor was used on 60% of the harvesting sites. These people (forest loggers, harvesters) were payed illegally with cash, which reduces their social security (the possibility to get retirement payments in the future, reduced access to health care and also there is no guarantee of them actually getting payed). ILO fundamental principles require that workers have fair living wages, safe working conditions and their rights as human beings and workers are respected. Without legal contracts of employment, these abovementioned fundamental principles cannot be guaranteed. The rights of workers to organize and voluntarily negotiate with their employers shall be guaranteed as outlined in Conventions 87, 98 and 135, prevention of discrimination in Convention 111 ratified by Estonia of the International Labour Organization (ILO).”</p> | | |
| <p>Conclusion on Indicator 2.2:</p> <ul style="list-style-type: none"> • All social rights are covered by the relevant legislation and the country is signatory to the relevant ILO Conventions. • There is evidence that the rights to freedom of association and collective bargaining are upheld. • There is evidence confirming absence of compulsory and/or forced labour. • There is evidence confirming absence of child labour. • There is substantial evidence of a gender pay gap in Estonia. Most of the sources make a strong link between the relatively large gender pay gap and the fact that Estonia has a high employment segregation between women and men, which is a complicated issue with many factors playing a role, most of them outside the scope of this assessment and not necessarily related to discrimination. The only source that ranks for the so-called adjusted gender pay gap - wage equality for similar work - is the Global Gender Gap Report 2014 that ranks Estonia only 95 out of 142 countries for this indicator. This is far below the average and therefore considered a <i>specified risk</i>. Although this assessment focuses on the forestry sector, when no data relevant for this sector is available, we use general statistics. Also, comments received from stakeholders on this risk factor do not prove that gap does not exist in the forestry sector, but rather stress minority of women among employees in forestry sector, which is not a relevant factor in this regard. • There is no evidence of other violations specific to the forestry sector. <p>The following specified risk thresholds apply, based on the evidence:</p> <p>(15) There is substantial evidence of widespread violation of key provisions of the ILO Fundamental Principles and Rights at work.</p> | Country | Specified risk on discrimination of women at work (unequal payment). | |
| <p>Indicator 2.3. The rights of Indigenous and Traditional Peoples are upheld.</p> <p>Guidance:</p> <ul style="list-style-type: none"> • Are there Indigenous Peoples (IP), and/or Traditional Peoples (TP) present in the area under assessment? • Are the regulations included in the ILO Convention 169 and is UNDRIP enforced in the area concerned? (refer to category 1) • Is there evidence of violations of legal and customary rights of IP/TP? | | | |

- Are there any conflicts of substantial magnitude [footnote 6] pertaining to the rights of Indigenous and/or Traditional Peoples and/or local communities with traditional rights?
- Are there any recognized laws and/or regulations and/or processes in place to resolve conflicts of substantial magnitude pertaining to TP or IP rights and/or communities with traditional rights?
- What evidence can demonstrate the enforcement of the laws and regulations identified above? (refer to category 1)
- Is the conflict resolution broadly accepted by affected stakeholders as being fair and equitable?

| general sources from FSC-PRO-60-002a V1-0 EN | information found and specific sources | scale of risk assessment | risk indication |
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| ILO Core Conventions Database http://www.ilo.org/ilolex/english/docs/declworld.htm - ILO Convention 169 | Estonia has not ratified ILO Convention 169 | Country | Specified risk ONLY IF IPs/TPs in Estonia |
| Survival International: http://www.survivalinternational.org/ | No results on this website when searching for 'Estonia', or 'Seto/s'. | Country | Low risk |
| Human Rights Watch: http://www.hrw.org/ | No results on this website when searching for 'Estonia', or 'Seto/s'. | Country | Low risk |
| Amnesty International http://amnesty.org | No results on this website when searching for 'Estonia', or 'Seto/s'. | Country | Low risk |
| The Indigenous World http://www.iwgia.org/regions | No results on this website when searching for 'Estonia', or 'Seto/s'. Also, Estonia is not in one of the regions that are displayed on the IWGIA website as regions with IPs. 'Setos' and 'Estonia' also do not feature in the main publication <i>The Indigenous World 2013</i> . | Country | Low risk |
| United Nations Special Rapporteur on the rights of indigenous peoples http://www.ohchr.org/en/issues/ipeoples/srindigenouspeoples/pages/sripeoplesindex.aspx | http://www.ohchr.org/EN/Issues/IPeoples/SRIndigenousPeoples/Pages/CountryReports.aspx No country report on Estonia. No reference found to Estonia in relation to indigenous peoples nor to 'Seto'. | Country | Low risk |
| UN Human Rights Council Universal Periodic Review http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx | http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G10/171/29/PDF/G1017129.pdf?OpenElement No reference to 'indigenous people' or Seto/s' in the Estonia national report. | Country | Low risk |
| UN Human Rights Committee http://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIndex.aspx search for country Also check: UN Committee on the Elimination of All Forms of Racial Discrimination http://www.ohchr.org/EN/HRBodies/CERD/Pages/CERDIndex.aspx | No reference to indigenous people in Estonia or to Seto/s. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fEST%2fCO%2f10-11&Lang=en No reference to indigenous people in Estonia or to Seto/s in the most recent Concluding observations (2014). | Country | Low risk |
| Intercontinental Cry http://intercontinentalcry.org/ | http://intercontinentalcry.org/ No reference to indigenous peoples in Estonia. http://www.scribd.com/doc/216154458/Indigenous-Struggles-2013 No reference to Estonia. http://intercontinentalcry.org/wp-content/uploads/2013/01/Indigenous-Struggles-2012.pdf No reference to Estonia. | Country | Low risk |
| Forest Peoples Programme: www.forestpeoples.org | No reference to Estonia. | Country | Low risk |

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| FPP's focus is on Africa, Asia/Pacific and South and Central America. | | | |
| Society for Threatened Peoples: http://www.gfbv.de/index.php?change_lang=english | No reference to (indigenous peoples in) Estonia. | Country | Low risk |
| Regional human rights courts and commissions: - Inter-American Court of Human Rights http://www.corteidh.or.cr/index.php/en - Inter-American Commission on Human Rights http://www.oas.org/en/iachr/ http://www.oas.org/en/iachr/indigenous/ - African Commission on Human and Peoples' Rights - African Court on Human and Peoples' Rights - European Court of Human Rights | http://www.echr.coe.int/Pages/home.aspx?p=home No reference to (indigenous peoples in) Estonia on the website of the European Court of Human Rights . | Country | Low risk |
| Data provided by National Indigenous Peoples', Traditional Peoples organizations; | http://www.haanimaa.ee/eng.htm "Haanimiihhi nõvvokoda (Council of Haani Men) is a voluntary alliance of men who share and cherish the values of historic area known as Haani. The objective of the Alliance is to contribute to the rebirth of Haanimaa that spawns the Haanja elevation in South Estonia and has rich heritage culture and deeply rooted traditions. <i>Activities.</i> The Alliance collects and shares experience aimed at preserving and developing self-sufficient housekeeping, the Haani language and customs, handicrafts and traditional lifestyle. In addition, it promotes nature conservation and protection and restoration of sacred places. One of the areas of activities for the Alliance is, through different activities, to get young people interested in and respect the ancient culture and lifestyle of Haanimaa. The Alliance has also created a hiking tour introducing Haanimaa (Imärada) and invites people to come and discover the area's nature and heritage with a Haani-speaking guide. From autumn 2009 there is working the first language nest in Estonia as a common effort of Haanimiihhi nõvvokoda and Võro Institute. <i>Legend.</i> On the initiative of the Alliance, a unique work of art – The Legend of Haani and the Pillar of the World – was produced. It is the first public display of the birth of Haani under the symbol of world egg. The whole work of art created by artist Epp Margna on large ash boards has been exhibited in the recent couple of years in several areas in Estonia and has been shown also in Livonia. The Legend of Haani and the Pillar of the World has been developed further over time and will surely continue its travel. <i>Pinokoda.</i> Either in Haani or further, people have noticed the conical tent of the Alliance or, as it is locally called, pinokoda. The representation of the Alliance takes part in events and contributes to efforts that help to preserve heritage culture and cherish traditional lifestyle. The Alliance has spoken out in the vision conference in Võrumaa and in many other debates. Pinokoda was also erected in the Vastseliina wood days, Viljandi Folk Music Festival and elsewhere. <i>Cooperation.</i> In July 2005 the delegations of the Alliance and the Crown Assembly of the Seto Kingdom signed a pact on mutual recognition of Setomaa and Haanimaa, two ancient neighbours. This was a historic event it was the first time that the official relations between the ancient areas of Setomaa and Haanimaa were also made in writing. The Alliance has begun to establish closer relations also with Livonians and other representatives of ethnic nations." | Haanimaa | Low risk |

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| Data provided by Governmental institutions in charge of Indigenous Peoples affairs; | Not applicable | - | - |
| Data provided by National NGOs; NGO documentation of cases of IP and TP conflicts (historic or ongoing); | No additional information found on specified risks | - | - |
| National land bureau tenure records, maps, titles and registration (Google) | No information found that the government of Estonia has maps, titles or registration of indigenous peoples' territories. | Country | Specified risk ONLY IF IPs/TPs in Estonia |
| Relevant census data | http://www.minorityrights.org/2443/estonia/estonia-overview.html <i>Estonia overview</i> "According to the 2000 census, the main minority groups include Russians 351,178 (25.6%), Ukrainians 29,012 (2.1%), Belarusians 17,241 (1.3%) and Finns 12,195 (0.9%). Official estimates for all groups in 2006 do not differ widely from the 2000 census data. There are also small populations of Jews, Tatars, Germans, Latvians, Poles, Lithuanians and others. According to the 2000 census, Estonians constituted 67.9 per cent of the total population; they speak Estonian, a difficult Finno-Ugric language unrelated to Slavic languages. Besides the ten largest minorities listed above, other smaller minorities include Armenians, Azeris, Moldovans, Chuvash, Karelians and Roma. The first congregation of Jews was founded in Tallinn in 1830. Several hundred Jews were deported in June 1941 and later that year, during the German occupation, some 1,000 who had failed to flee were murdered. The Estonian Jewish community today consists of about 1,000 people, more than half of whom are pensioners. The non-Estonian population lives predominantly in the main industrial towns in the north-east of the country and in the capital, Tallinn. In 2006 according to official data published by the Estonian Ministry of Foreign Affairs, 83.6 per cent of residents of Estonia are Estonian citizens. Another 7.4 per cent were citizens of other states, and 9.0 per cent were residents of 'undetermined citizenship'. These numbers, alongside corresponding figures for Latvia, are unprecedented for the European Union, especially as they refer to stateless residents rather than third-country nationals. According to the 2000 census, the population of Estonian citizens comprises 83.4 per cent native speakers of Estonian, and 15.3 per cent native speakers of Russian." | Country | Low risk |
| - Evidence of participation in decision making; (See info on implementing ILO 169 and protests against new laws) - Evidence of IPs refusing to participate (e.g. on the basis of an unfair process, etc.); (See info on implementing ILO 169 and protests against new laws) | Not applicable | - | - |
| National/regional records of claims on lands, negotiations in progress or concluded etc. | Not applicable | - | - |
| Cases of IP and TP conflicts (historic or ongoing).) Data about land use conflicts, and disputes (historical / outstanding grievances and legal disputes) | No evidence found of IP or TP conflicts. | Country | Low risk |
| Social Responsibility Contracts (<i>Cahier des Charges</i>) established according to FPIC (Free Prior Informed Consent) principles where available | Not applicable in Estonia | - | - |

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| Google the terms '[country]' and one of following terms 'indigenous peoples organizations', 'traditional peoples organizations', 'land registration office', 'land office', 'indigenous peoples', 'traditional peoples', '[name of IPs]', 'indigenous peoples+conflict', 'indigenous peoples+land rights' | (see below under 'Additional sources') | | |
| Additional general sources for 2.3 | Additional specific sources | scale of risk assessment | risk indication |
| Government of Estonia | <p>http://estonia.eu/about-estonia/society/finno-ugric-peoples.html <i>Finno-Ugric Peoples</i> “According to recent studies, the peoples that speak Finno-Ugric languages have lived in Europe for about ten millennia. It seems that before the Great Migration, primarily Finno-Ugric languages were spoken in Eastern and Central Europe. Today, almost 25 million people belong to the Uralic (Finno-Ugric and Samoyed) language family, living within an area that stretches from Norway in the West to the Ob River region in the East, and to the lower reaches of the Danube in the South. Thus, various Finno-Ugric enclaves can be found within this massive domain. These groups are generally surrounded by people speaking Indo-European (Germanic, Slavic, Romance) and Turkic languages.” <i>Statistics and Political Status</i> Speakers of Finno-Ugric languages represent about 24 different peoples, whose political fate and status vary greatly. Despite the fact that they are the aboriginal inhabitants of the territories they live in, most of them have never had their own nation state. Only about 15 million Hungarian, 5 million Finnish, and 1 million Estonian speakers have their own independent states.” (..) “The main territory traditionally inhabited by the Setos is now under the control of Russia, but most of the Seto population has emigrated to Estonia. Although they speak the Southern Estonian language, Setos are noticeably different from Estonians ethnologically and have claimed a separate ethnicity. This is not recognised by the Estonian state, but Estonia still supports Seto culture and language with a special fund. Books, newspaper and CDs are all published in the Seto language. The remaining 17 out of the 24 different Finno-Ugric peoples live in Russia. There are 3 peoples who live both in and outside the territory of Russia (Saamis, Finns and Setos).” According to a table on this website there are 3,200 Setos living in Estonia or Russia.</p> | Setomaa | Specified risk: Are Setos IPs? |
| Rainforest Alliance | <p>Rainforest Alliance/SmartWood Interim Standard for Assessing Forest Management in Estonia. SW document code: FM-32 - Estonia “Criteria 3.1 – 3.4 considered not applicable since Estonians are native people in their homeland.”</p> | Country | Low risk |
| Wikipedia; List of indigenous rights organizations | <p>http://en.wikipedia.org/wiki/List_of_indigenous_rights_organizations There is no organization in Estonia on this list of indigenous rights organizations.</p> | Country | Low risk |

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| books.google | <p>http://books.google.nl/books?hl=nl&lr=&id=MS25xxY2LKQC&oi=fnd&pg=PA191&dq=estonia+indigenous+people+seto&ots=NbrmTKP2II&sig=bsGS2Wf7sThRDbb8iBc0WFTCJm4#v=onepage&q&f=false</p> <p>“In summer 1996 I visited the field as part of a research team to study the Setos, a transborder ethnic group that lives in Pechory district in Pskov region on Russia’s border with Estonia.”</p> <p>“The Setos’ are narrated as an aboriginal people living from time immemorial in the borderlands between Russia and Estonia (.). ”</p> <p>“The map is an illustration of the border dispute between Estonia and Russia over control of Pechory and its surrounding territory to Estonia, in line with the Tartu Peace treaty (1920). The territorial dispute between Estonia and Russia over Pechory district brought the name of Seto from the realm of ethnographic museums to high political discourse.”</p> | Setomaa | Specified risk: Are Setos IPs? |
| Wikipedia (on Setos) | <p>http://en.wikipedia.org/wiki/Setos</p> <p>“Setos (Seto: setokõsõq, setoq, Estonian: setud) are an autochthonous ethnic and linguistic minority in south-eastern Estonia and north-western Russia. Setos are mostly Seto-speaking Orthodox Christians of Estonian nationality. The Seto language (like Finnish and Estonian) belongs to the Finnic group of the Uralic languages. The Setos seek greater recognition, rather than having their language considered a dialect of Estonian. Along with Orthodox Christianity, vernacular traditional folk religion is widely practiced and supported by Setos.”</p> <p>“There are approximately 15,000 Setos around the world. The bulk of Setos, however, are found in the Setomaa region, which is divided between south-eastern Estonia (Põlva and Võro counties) and north-western Russian Federation (Pechorsky District of Pskov Oblast). Setos are an officially protected ethnic minority of Pskov Oblast.”</p> <p>“The culture of Setos blossomed in the early 20th century when many national societies of Setos were organized. In 1905 the number of Setos reached its maximum. After the proclamation of independence of Estonia its authorities adopted a policy of Estonification of its population, which eventually led to virtual disappearance of Setos as a distinctive linguistic entity of Estonia. In Russia, due to the influence of Estonian language schools, high rates of mixed marriages, and emigration to Estonia, the number of Setos drastically decreased as well.”</p> <p><i>“Ethnic history</i></p> <p>Prior to A.D. 600 the whole of Setomaa was within the vast northern Finnic lands of the indigenous Uralic peoples. After A.D. 600 Slavic tribes migrated northeast, into Uralic lands. During this migration north the Slavic and Finnic tribes interbred in the southern habitation areas of the indigenous Finnic.’</p> <p>“The first significant event that separated Setos from Estonians was forced conversion of the latter into Catholicism in the 13th century, while Setos who lived in Novgorod Land remained pagans. In the 15th century Setos were converted into Orthodox Christianity but kept their vernacular beliefs. Later elements of Catholic culture were brought to the Setos by Estonian colonists,[citation needed] while in Estonia itself they nearly disappeared after the Lutheran reformation in Estonia.”</p> <p><i>“The border issue</i></p> <p>In 1920, with the peace treaty of Tartu, the area Setomaa (Setoland) was ceded to the newly created Republic of Estonia and it was included into Petseri County. As a result of World War II, the Republic of Estonia was forcefully annexed to the Soviet Union. And in the years after</p> | Setomaa | Specified risk: Are Setos IPs? |

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| | <p>the war, the border between the Estonian Soviet Socialist Republic and the Russian Soviet Federated Socialist Republic was revised by Moscow authorities to what it is now. The issue became topical as the Republic of Estonia was restored in the borders of the Estonian Soviet Socialist Republic in 1991 and a national border was established soon afterwards. The establishment of the border brought about the division of Setomaa between two countries for the first time in history.[citation needed]”</p> <p><i>“Representative organisations</i></p> <p>The Seto Congress, a body comprising representatives of Seto villages and organisations, is regularly convened every three years and elects a permanent Council of Elders. The Society for Seto Congress was a member of the European Bureau for Lesser-Used Languages. The Setomaa federation of municipalities in Estonia (Setomaa Valdade Liit, comprising the communes of Mikitamäe, Verska, Meremäe and Misso) publishes the newspaper Setomaa, partly in the Seto language, partly in Estonian.</p> <p>Also, every year the Seto choose a steward of the king (sootska or ülebtsootska) for the so-called Kingdom of Setomaa at the annual celebration of the Day of the Kingdom (Seto Kuningriigi päiv), a local festival that rotates among the bigger Seto villages. The office is largely ceremonial and has been held by local activists, politicians, entrepreneurs and scholars. The tradition was initiated by Paul Hagu, an ethnic Seto and a researcher of Seto folk songs and traditional vocal polyphony (Leelo) at the University of Tartu.”</p> <p>This article has only four (4) references:</p> <p><i>References</i></p> <ul style="list-style-type: none"> • Russian Census of 2002 • BBC News, In Pictures: The Seto People • Eichenbaum, K.; Pajusalu, K. (2001): Setode ja võrokeste keelehoiakutest ja identiteedist. - Keel ja Kirjandus nr 7, lk. 483-489. • Eller, K. (1999): Võro-Seto language. Võro Instituut'. Võro. <p>http://en.wikipedia.org/wiki/Setomaa</p> <p>“Setomaa (Estonian: Setumaa; Russian: Сетумая, Seto: Setomaa) is a region south of Lake Peipus and inhabited by the Seto people. The Seto language is a variety of South Estonian. The historic range of Setomaa is located on territories of present day Estonia and Russia. Estonian Setomaa presently consists of lands in Põlvamaa and Võrumaa counties located in southeastern Estonia and bordering Russia.”</p> <p>“Current subdivision: Estonian Setomaa consists of:</p> <ul style="list-style-type: none"> • In Põlvamaa: <ul style="list-style-type: none"> - Mikitamäe Parish - Värska Parish • In Võrumaa: <ul style="list-style-type: none"> - Meremäe Parish - Luhamaa region of Misso Parish <p>Russian side consists of Pechorsky District, which is a part of Pskov Oblast.”</p> | | |
| <p>Seto Instituut http://setoinstituut.ee/</p> | <p>http://setoinstituut.ee/pdf/setomaa_unique_and_genuine.pdf</p> <p>Setomaa: Unique and Genuine (Book, 160 pp)</p> <p><i>“Introduction: Who are the Setos, and where is Setomaa?”</i></p> | <p>Setomaa</p> | <p>Specified risk: Are Setos IPs?</p> |

“The Setos are a small Finno-Ugric nation close to the border between Estonia and Russia, in the most southeasterly part of Estonia, an area called Setomaa. Several features distinguish Setos from Estonians. Firstly, in contrast to primarily Lutheran or atheist Estonians, Setos are traditionally Orthodox.

Secondly, the language they speak differs from the Estonian written language in a way that makes it difficult for Estonians to understand, and almost impossible for them to learn to speak. Russian has had a major impact on the Seto language, as well as their clothing, cooking, architecture and music. Historically, Setomaa was Russian territory, thus the Russian influence. However, Setos have remained a separate nation to this day, and have not been subsumed by Russia.

However, their location on the boundary between East and West has greatly affected the being and essence of Setos. Setomaa has always been on the periphery, a borderland. Being peripheral and being separated from others is the reason why ancient customs are still alive. Paradoxically, the economic backwardness and unwritten culture – written culture was a recent development in Setomaa – have helped to maintain those traditions.

Setomaa, with its special and ancient cultural features, has interested researchers since the end of the 19th century. A three-volume collection of Seto songs was published at the beginning of the 20th century. The unique and ancient Seto singing tradition is called leelo. In the autumn of 2009, leelo was officially recognised and added to the list of UNESCO’s Intangible Cultural Heritage. Seeing Seto women singing and wearing distinctive and eye-catching silver jewellery is a sight to remember – a visiting card for Setomaa.

Several collections, research papers and pieces of work have appeared during the last decade documenting Seto culture. They are mostly in Estonian, with some in Seto as well. Some of them do include references and captions in English, but unfortunately there is no comprehensive English overview of Setomaa – nothing that Setos could take with them when going abroad to introduce themselves or to give to foreign visitors.

The present book aims to do just that.”

(..)

“Territory

Divided between two countries: Estonia and Russia. Historically, the territory of Setos (Pechory County) has covered about 1700 km². Nowadays, about 2/3 of the historical range belongs to Russian Federation, and about 1/3 to Estonian Republic.

In Estonia, the territory of Setomaa is divided into 3 rural municipalities (Meremäe, Mikitamäe, Värska), and a small patch lies in Misso municipality.”

Population

“As of 2011 Estonian census, there are about 12 800 people able to understand the Seto language in Estonia. About 4000 of them live in Setomaa (Estonia), about 8500 elsewhere in Estonia and in the world, and about 300 in Russia.”

(..)

“The exact number of the users of the Seto language is not known. During the 2011 census, approximately 12,500 people identified themselves as speakers of the Seto dialect. This number most probably includes many people who understand the language, but do not speak it.

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| | Setos themselves have definitely not given up on their language and over the past 20 years the status of the Seto language has improved: there is active Seto media, books are being published and even films are being made. With the state's support, some schools teach the Seto language as an additional subject. | | |
| BBC News | <p>http://news.bbc.co.uk/2/shared/spl/hi/picture_gallery/07/in_pictures_the_seto_people/html/1.stm</p> <p>In pictures: The Seto people <i>"A border people</i> On either side of a disputed and un-ratified border between Estonia and Russia lies the land of the Seto people, Setomaa (meaning "Land of Wars" in the Seto language). A separate ethnic group to the rest of Estonia, the Setos have their own unique traditions of singing runic verse and worshipping pagan deities and are one of the last remaining traditional folk cultures in Europe. Current events have only increased the political uncertainty they face." (..)</p> <p><i>"Sitting and singing</i> "Singing is very important for our culture," Kala Maria states. "The songs are inherited from generation to generation. In the old days all of the work was done by hand. If people got tired, they would sit down for a while and sing. "Younger people came along and joined in and learnt the songs. Now there are no young people and there is no work, so people don't sing as much as they should do." <i>"Stalin's terror</i> "The biggest threat during my lifetime was the beginning of the Soviet occupation in the 1940s," Kala Maria says. "We were really afraid and we had to hide all the silver and all of our national costumes. We didn't dare to sing because people were arrested and deported. "We just did not know what would happen next. It was forbidden even to speak the Seto language." <i>"Retreating villages</i> Kala Maria looks out of her window and sighs deeply: "Those of us that are left do not see each other as we did when we worked together on the farms. "The villages are getting emptier and emptier and therefore there is no hope. Seto villages used to consist of 20 or 30 farms. "It is not a village anymore when there are only five people, and half of them are very old." <i>"Anthem and flag</i> The establishment of the Seto Congress and Seto Commission to promote their cultural traditions and represent their interests has proved a success. The re-introduction of the annual Kuniigrii (where a Seto king is chosen), the writing and singing of the Seto national anthem whose lyrics speak of the hardships Setomaa has endured, and most recently the designing and flying of the Setomaa flag, have all helped to rekindle an interest in the Seto culture." <i>"King Evar</i> At the forefront of the movement to save the Seto traditions is Evar Riitsaar, Setomaa's longest-serving king, or Sootska.</p> | Setomaa | Specified risk: Are Setos IPs? |

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| | <p>"It is still a worry whether the culture will remain or not," he says. "If we do not push the ideas of the Seto culture, then it will be lost by the next generation."</p> <p>"I feel that this is our last chance to save the Seto culture. Much has already been forgotten and will be forgotten still."</p> <p><i>"The shaman"</i></p> <p>"The tradition of Sootska nearly died out; when the Russians were here, it was not allowed, but it was revived about 11 years ago."</p> <p>"There are no formal duties but a lot of spiritual ones. We have a strong shamanic background in Setomaa."</p> <p>"As Sootska, I do what I know best: singing, dancing and painting." Through Evar's art, much of the Setos' cultural identity is being preserved. Evar also teaches schoolchildren painting and sculpture."</p> <p><i>"Remembering the dead"</i></p> <p>Although Orthodox Christians, the Setos retain their pagan traditions and beliefs with the worshipping of their ancestors and the eating and leaving of food on their graves in Obinitsa's forested cemetery.</p> <p>"This place is where I get my strength from my ancestors - we come here to remember them with kind words and happy thoughts," Evar explains.</p> <p>This is followed with the toasting of departed friends and family with the local moonshine, Hanza." (..)</p> <p><i>"Rich culture"</i></p> <p>"I hope that the richness of our culture will not be diluted by the Estonian culture; that our weddings, singing, family life and language will remain," says Kauksi Ulle, Evar's partner, and Setomaa's foremost writer.</p> <p>"It will depend on the young generation, if they learn our traditions, our language," says Evar.</p> <p>"I hope that in the future, young designers and architects will bring Seto ideas and traditions to their work."</p> | | |
| VisitEstonia.com | <p>http://www.visitestonia.com/en/holiday-destinations/cultural-treasures/setomaa</p> <p><i>Seto Culture in Setumaa</i></p> <p>"Setos are an ethnic and linguistic minority living in an area covering South East Estonia and North West Russia."</p> <p>The original Seto culture developed from Eastern and Western cultures (katõ ilma veere pääl - "on the border of two worlds"). The estimated population of Setos in Estonia is 10,000 - 13,000, of which ca 3,000 - 4,000 live on their indigenous land.</p> <p>Their borderland status has also given Setos a chance to preserve their language, lifestyle, food and unique folk costumes.</p> <p>Setos are very religious people. Every household has its own icon corner (pühäsenuk) and almost every village has its own small chapel (Tsässon). As a rule, the chapels are locked and the key is held by the village elder or chapel master/mistress. An opportunity to visit a Seto chapel may come on village holidays when it's opened for public prayer.</p> <p>The chapel traditions are sacred to Orthodox Setos. During church holidays people gather to honour the souls of their ancestors. In the morning a service is held, followed by a procession around the chapel. Afterwards people go to their ancestors' graves, where they eat and drink. Some food is often left for the souls of the dead."</p> | Setomaa | Specified risk: Are Setos IPs? |

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| | <p><i>“Did you know...?”</i></p> <p><i>It was decided to include Seto leelo in the UNESCO List of Intangible Cultural Heritage at the session of the UNESCO Committee for the Safeguarding of the Intangible Cultural Heritage held in September 2009.”</i></p> <p><i>“If you want to hear the archaic Seto language, find an opportunity to listen to a Seto Leelo choir. Leelo is the Seto folk song, where the singer improvises the words and the choir then repeats. Most famous singers were able to sing up to 10,000–20,000 rhymes and they earned the title of "Seto Mother of Songs."</i></p> <p><i>You should also certainly see traditional Seto villages. Closed cluster-villages in Setomaa are built in a way that you cannot peek into a neighbour’s yard. A typical Seto homestead is a closed inner courtyard surrounded by buildings, high gates and partition fences - a "castle homestead."</i></p> <p><i>Setumaa will appeal to anybody interested in different cultures, religion and traditions - plus with its beautiful nature Setumaa is well worth a visit.</i></p> <p><i>It is particularly memorable to visit Setomaa during the various Seto traditional holidays or festivities: Kirmask, Seto Kingdom days, Seto Leelo days, Easter, and church holidays.”</i></p> | | |
| <p>UNESCO www.unesco.org</p> | <p>http://www.unesco.org/culture/ich/RL/00173</p> <p>Seto Leelo, the Seto polyphonic singing tradition was inscribed in 2009 (4.COM) on the Representative List of the Intangible Cultural Heritage of Humanity.</p> | Setomaa | Specified risk: Are Setos IPs? |
| <p>BalticReports.com</p> | <p>http://balticreports.com/2010/08/17/estonia-and-russias-forgotten-backyard/</p> <p>Blog written by Justin Petrone</p> <p><i>“Where is Setomaa? Setomaa is a sliver of land that straddles the Estonian-Russian border. The shape of the land is one of thick forests, sea-like fields, and rolling hills. Setomaa is different. It feels wild, untamed, while much of Estonia has a bit of a royal hunting grounds aesthetic, with its orderly fields and state forests. The official point of demarcation between Lutheran Eestimaa and Orthodox Setomaa is the Piusa river, which, coincidentally, runs about a kilometer northwest from our country house. Officially, we are on the Seto side but the border here and between Estonia and Russia in general is like most borders, porous, impossible to truly delineate, populated by bilinguals and free thinkers, people who are used to saluting contrasting regimes.”</i> (..)</p> <p><i>“Some might look at Estonians and Setos and judge them to be basically the same, and they are. In fact, Setos are Estonians, in that they hold Estonian nationality, play the lotto, sunbathe in Pärnu, do everything else the Estonians do. But still, I have attended song festivals in Tallinn. I have attended weddings and funerals in Estonia proper. I am familiar with Estonian culture. And so maybe I have some ability to compare Setomaa and Eestimaa and to say it’s a little different. Seto society is conservative, old fashioned, but still not wholly exclusive. One can, given time and dedication, join this lump of humanity. Such people are called <i>isetehtud setod</i> — self-made Setos.”</i></p> <p><i>“What do you need to be a self-made Seto? Well, you need your own talo, or farmstead. You also need to befriend a Seto in the know who will guide you along the way. He (or she) will instruct you as to where to put your religious icon, how to cut your pork with a spoon (as Setos don’t use forks), and how to make sõir a magic ingredient in most of your cuisine. Your Seto guide will introduce you to people in the ‘hood so that they know you are kosher. You may not be a real Seto, but at least you know a real one. To fit in, you’ll also need a Seto flag, Seto</i></p> | Setomaa | Specified risk: Are Setos IPs? |

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| | national costume, and your own Russian accordion, the karmoška, to play during festivities, which always seem to be happening.” | | |
| Mercator; European Research Centre on Multilingualism and Language Learning | http://www.mercator-research.eu/fileadmin/mercator/dossiers_pdf/voro_in_estonia.pdf <i>Võro: The Võro language in education in Estonia</i> “In addition, another spontaneous club-like activity was initiated in 2004 by a rural community: in Haanja (Haani), the local men have formed an irregular group of pre-school children (approximately 10) with an objective to learn about and to value their home language, nature, local identity, and customs.” | Haanimaa | Low risk |
| Information obtained from FSC Network Partner | FSC Estonia Controlled Wood Risk Assessment (FSC_CWRA_EST_VER_1-0), Draft 1-1: “2.4 There are recognized and equitable processes in place to resolve conflicts of substantial magnitude pertaining to traditional rights including use rights, cultural interests or traditional cultural identity in the district concerned Risk status for this indicator is „unspecified risk“. Justification: There exist both preventive and post conflict processes for resolving conflicts. As preventive processes there exist general, county, theme and detailed plannings which are publically announced and accessible to all interested parties. Solving conflicts already risen can be done through court and judiciary. It is also possible to appeal to the court system of the European Union. There are existing problems connected with this indicator. There is no existent process for protecting natural sacred sites in Estonia. There are several examples within last three years when sacred sites have been felled (Maardu, Kunda, Paluküla etc. sacred groves). These sacred sites are a cultural and spiritual heritage of all estonians and still in use by some people, therefore these sites should be excluded from CW in order to be socially acceptable. Court and judiciary are not effective processes for protecting these sites since they do not stop the harvesting activities before the legal decision by the court has been made. The recent study of public opinion by Faktum & Ariko proved that 70% of estonians feel that sacred groves are either important or very important for them. The study by Faculty of Theology of University of Tartu in 2010 showed that 51% of the respondents are the followers of Maausk (Estonian native religion) by religion. Also the public survey by one of the biggest newspapers in Estonia in July 2011 showed that 45.4% of the respondents felt that Maausk is the most favourable religion while other religions received greatly less support. In parliament of Estonia (Riigikogu), there has been established a support group for natural sacred sites in May 2011 due to the alarming events with forestry operations in sacred groves. This support group is consisted of 17 members of the whole 101 members of Estonian parliament. Information about natural sacred sites of Estonia can be found at Maavalla Koda. Source: European e-Justice: (https://e-justice.europa.eu/home.do); Maavalla Koda „Estonian House of Taara and Native Religions“ (www.maavald.ee)” “2.5 There is no evidence of violation of the ILO Convention 169 on Indigenous and Tribal Peoples taking place in the forest areas in the district concerned | Country | Specified risk: protection of sacred sites |

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| | <p>Risk status for this indicator is „unspecified risk“</p> <p>Justification: According to ILO Convention 169, indigenous people are people who descent from the populations which inhabited the country or a geographical region to which the country belongs, at the time of conquest or colonisation or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.</p> <p>As stated above, the problem is connected with the sacred groves which are a spiritual heritage of all estonians. We need an advice under which indicators these problems should be addressed (either 2.4 or 2.5 or both).</p> <p>Source: Maavalla Koda „Estonian House of Taara and Native Religions“ (www.maavald.ee)”</p> <p>From Draft Estonian FSC standard; version 25.04.2008.</p> <p>Page 5: “Although most of the content of the standard had been developed and agreed upon on the basis of consensus reached in the course of the 9 workshops held in 2007–2008, no unanimity was reached concerning one issue, i.e. whether or not indigenous peoples exist in Estonia. While the working group had found at the beginning of the standard development process that the principle related to indigenous peoples is not applicable in Estonia, by now indigenous groups have become organised as the Movement of Indigenous Peoples represented by the Indigenous Peoples Foundation. It is not important for FSC whether or not the state politically recognises indigenous peoples. It is important to take into account that if people who identify themselves as members of an indigenous group have become organised and constitute a negotiation partner for a forest manager, they consequently exist. Setos, Haani Men, Kihnus etc. can be regarded as the most wellknown representatives of indigenous peoples.</p> <p>Indigenous people in the context of Estonian FSC are: „Existing descendants of these Estonian peoples who remained settled in the whole territory of the current State of Estonia or a part of it at the time when people with a different cultural origin arrived in Estonia from the rest of the world, subdued the earlier population and reduced them to a minority through another measure; Estonian peoples who currently prefer to live according to their own unique social, economic and cultural traditions rather than according to Estonian state institutions they belong to and which they are subjected to similar to all Estonian citizens – the structures which mainly combine the ethnic, social and cultural aspects of the different layers of the Estonian population. Members of the Estonian indigenous peoples are citizens of the State of Estonia and able to achieve selfrealization on an equal basis with all other citizens of the State of Estonia.“</p> <p>“Characteristics of indigenous people in the context of Estonia are as follows:</p> <ol style="list-style-type: none"> 1. sense of identity – an individual has identified himself or herself as a member of an indigenous group provided that he or she is a descendant of the Estonian people (belongs to a group originating from the Estonian people); 2. member of an indigenous group – members of particular indigenous people have identified themselves as a group which is the indigenous people of the respective area; 3. site of indigenous people – an indigenous group is associated with a specific locality, territory which has definite boundaries which have been established by historical traditions – a parish, as a rule, or in exceptional cases an equivalent definite territory; | Country | Specified risk: identification of IPs in Estonia |
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| | <p>4. recognition – Indigenous Peoples Foundation recognises indigenous groups which have been recognised by four other indigenous groups;</p> <p>5. cooperation – indigenous groups have set up the informal Movement of Indigenous Peoples to protect their interests and have cooperation;</p> <p>6. representative body – the Movement of Indigenous Peoples is represented by the Indigenous Peoples Foundation.”</p> | | |
| <p>Conclusion on Indicator 2.3:</p> <ul style="list-style-type: none"> - Are the Estonians to be considered as indigenous people? Are there other peoples in Estonia than should be considered as indigenous people? Are other minorities to be considered as indigenous people? - The definition of indigenous people in the current P&Cs and the definition in the revised P&Cs are different in their wording but the key aspects are more or less the same. - Estonians cannot be considered as indigenous people because they are the dominant group of the society. - The issue of sacred groves is not exclusively an IP issue. (Presumably to be dealt with as HCVs) - Russians or other (ethnic) minorities cannot be considered as indigenous people because they do not have “distinct social, economic or political systems”. In other words, they do not live as a group and do not depend on the group structure as a social, economic or political system. - The Draft Estonian FSC standard concludes: “Setos, Haani Men, Kihnus etc. can be regarded as the most well-known representatives of indigenous peoples.” - All these groups are descendents of the same origin as the ‘mainstream’ Estonian and that the main distinctions are on religious and cultural level: the main part of the group converted to the Catholicism, another part not. This indicates that these groups are religious minorities and not indigenous people. But as this is not conclusive other aspects are considered in this assessment. - Haani Men cannot be considered as indigenous people because no evidence is found that the Haani live as a people with a distinct social, economic or political system. Very few references found at all. It rather seems to be a spontaneous club-like activity. - Regarding Kihnus, no relevant reference is found that substantiates the idea that Kihnus are indigenous people. - The only ethnic group/minority that could be considered indigenous people conform the FSC definition are the Setos. - The following evidence was found in the light of the FSC definition of indigenous people: Evidence was found for: <ul style="list-style-type: none"> • Historical continuity with pre-colonial and/or pre-settler societies: Seto people on more or less the same land, Setomaas, since time immemorial – although they share this with the ‘mainstream’ Estonians. • Distinct language: The Seto language (like Finnish and Estonian) belongs to the Finnic group of the Uralic languages. It is not fully clear whether Seto is considered an individual language or a dialect. Evidence indicates that many Seto people still speak Seto. • Form non-dominant group of society regarding religion and culture: Estonian are the dominant group of the society in Estonia. <p>Some evidence was found for:</p> <ul style="list-style-type: none"> • A distinct culture: Originally the Seto and the Estonians had the same culture but that became distinct after main part of population was turned into Catholicism. Nowadays, the majority of the Seto does not have a very distinct culture. • A strong link to territories or surrounding natural resources: Regular references to Setomaa are made. Some sources refer to the strong link to the nature which is also linked to have a distinct belief: Some data indicate that a distinct belief exists and that the link to nature is part of that belief system. → The territory of Setomaa in Estonia is divided in “3 rural municipalities (Meremäe, Mikitamäe, Värskä), and a small patch lies in Misso municipality”. <p>No evidence found for:</p> <ul style="list-style-type: none"> • Self identification: There is evidence that many Setos identify themselves as Setos. However, there is no evidence that the Setos as a group identify themselves as an indigenous people. • A distinct social, economic or political system: No evidence that nor in the past, nor nowadays distinct systems exists. No evidence that Setos as a group or as a people maintain any such system. | Country | Low risk | |

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| <ul style="list-style-type: none"> • Also, there are a few references to the Seto people but none of the more well-known or globally respected organizations, lists or websites makes reference to the Seto people. <p>In conclusion, the Setos cannot be identified as indigenous peoples in Estonia because (i) The Seto people originate from the same ethnic group as the mainstream Estonians, but are mainly distinct now because of a different religious identity, (ii) there is no evidence that the Setos ever had or do now have a distinct social, economic or political system and (iii) the Setos as a group do not clearly self-identify themselves as an indigenous people.</p> <p>Therefore the following 'low risk' thresholds apply to Estonia:</p> <p>(16) There is no evidence leading to a conclusion of presence of indigenous and/or traditional peoples in the area under assessment; AND (21) Other available evidence do not challenge 'low risk' designation.</p> | | |
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Controlled wood category 3: Wood from forests in which high conservation values are threatened by management activities

Overview

Historical land use and forestry practices resulted that majority of present forests in Estonia are semi-natural ecosystems with small insertions of close to natural forests stands. It is known that in last centuries all Estonian forests were under various management activities varying from extensive to very intensive forestry with land use change. In 1970s forestry practices were suspended in other valuable forests on account of creation of protection areas that contain nature reserves.

Estonia ratified the Convention on Biological Diversity in 1994. In 2003, 10.7% of terrestrial lands were protected which later increased to 16% with the creation of the European Natura 2000 Network, comprising 66 bird sites and 509 habitat sites, some with partial or complete overlap. In Estonia, there are 5 national parks, 138 nature conservation areas, 151 landscape protection areas, 344 special conservation areas, 1350 species protection sites and 3 local objects of natural conservation. In addition, 1,195 individual protected natural objects exist. Altogether, conservation areas cover 590,333 ha of the country's terrestrial land, strictly protected forests makes up 10% of all forests. Estonian Forests are surveyed, all known HCV are identified and mapped and are available in State owned EELIS database. Data about biodiversity is updated regularly. There are areas of UNESCO world heritage, Ramsar convention and Baltic Sea protection areas according to HELCOM convention designated in Estonia. Other important for biodiversity landscape large include valuable forests in national parks, regional parks and biosphere reserve. There are two main forest management types in Estonia state managed forests and privately owned and managed forests.

Experts consulted

| | Name | Organization | Area of expertise (category/sub-category) |
|-----|-----------------|--|---|
| 1. | Aavo Sempelson | Environmental Inspectorate | All categories |
| 2. | Uno Luht | Environmental Inspectorate | All categories |
| 3. | Ott Otsman | EMPL Estonian Forest and Wood Industries Association | All categories |
| 4. | Liina Laineveer | The Estonian Private Forest Union | All categories |
| 5. | Urmas Tamm | Environmental Agency | 3.3. |
| 6. | Kristel Järve | Ministry of Environment | 3.3. |
| 7. | Liis Kuresoo | Estonian Fund for Nature | 3.3. 3.1 |
| 8. | Liisa Rennel | Environmental Board | 3.1 |
| 9. | Maria Smirnova | National Heritage Board | 3.6. |
| 10. | Uudo Timm | Environmental Agency | 3.1 |

Risk assessment

| Indicator | Sources of Information | HCV occurrence and threat assessment | Functional scale | Risk designation and determination |
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| 3.0 | 1 – 11 | <p>Estonian Forests are well surveyed and major HCV are identified. In last decades at least two studies there carried out:</p> <ul style="list-style-type: none"> -Woodland Key Habitat (WKH) survey (the current mapping is considered insufficient by consulted experts and stakeholders) and -Identification of possible Nature 2000 sites survey. <p>Currently this is considered a sufficient level of information to be able to assess HCV occurrence and threats in Estonia. No major gaps in knowledge about HCV exist. There has been feedback from stakeholders that there is some estimated amount of the WKH are not registered and the borders of WKH-s have changed There is a functioning system that in case someone finds a WKH or feels that values of some WKH needs to re-evaluated, they have right to turn Board of Environment who have licensed specialist who will review these WKHs and make changes in database. This can be done in reasonable time (up to 1 month). This goes also for any other HCV objects. Data about biodiversity is updated regularly. The information quality about Natura 2000 sites varies depending of the time inventory was done but Board of Environment is updating this information and this is continuous process. In last decade Board of Environment has ordered several large and small scale Natura 2000 inventories on protected areas to update data and provide better protection of these habitats (these inventories also include mapping of different nature conservational objects like species etc.). Not all species, sites, habitats etc. are mapped, this is a continuous process being done by Environmental Board, NGO-s and licensed specialists working in other institutions.</p> <p>Currently in Estonia there are no virgin forests, remaining old-grow forests are partly under strict protection included in the special management zones or strict reserve zones of protection areas and partly outside protection areas. In some cases these are under WKH. More than 10% of total forest area is under strict protection regime according to latest statistics. These forests either meet or will meet the criteria of natural forests in future since they are not and will not be managed.</p> <p>For the current assessment HCV are identified as follows: HCV 1 – areas containing protected species including:</p> <ul style="list-style-type: none"> -bird species listed in Bird directive; -Species listed in Habitat directive Annex II; -species strictly protected on national level; -species protected on national level. | - | <p>Low risk</p> <p>Thresholds (1) and (2) are met: Data available are sufficient for determining HCV presence within the area under assessment; AND Data available are sufficient for assessing threats to HCVs caused by forest management activities.</p> |

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| | | <p>HCV 2 – areas of large woodland territories: UNESCO world heritage sites, Ramsar sites, forests in strict nature reserves, biosphere reserves, reserves of national or regional parks.</p> <p>HCV 3: Natura 2000 sites, Woodland key habitats, forest habitat types listed in the Habitat Directive.</p> <p>HCV 4 – ecosystem protection forests and protection forests. These are forests that are in water protection zone of rivers, lakes, sea or other water bodies and have restrictions designated from law to protect that bordering object. Also forests that are designated to protect vulnerable soils.</p> <p>HCV 5 – N/A</p> <p>HCV 6 – forest and parks in or around cultural values. Manor parks, urban forests, forests of the important historical sites.</p> <p>Estonian forests are well researched and most values are identified. There are no major gaps in knowledge about important areas. Most important forest areas are designated as protected areas in national or EU level.</p> <p>Although the current mapping is insufficient in terms of WKHs and almost nonexistent for sacred natural sites (SNS), data is available and sufficient to determine the presence of HCVs and threats caused by forest management activities.</p> | | |
| 3.1 HCV 1 | 1 – 5, 10 | <p>All protection areas and protected species habitats (except category I species – the species with highest protection regime, all sites must be under strict protection and category II species – species with lower protection regime where at least 50% must have strict protection of their habitat and rest have protection at individual level) are registered in public databases (EELIS) or in forest management plans (including also category I and II). For category I protected species, land owners are notified in writing. Land owners and other stakeholders can have direct access to the main information.</p> <p>The main threats to HCV 1 in Estonia are due to habitat and species loss, and fragmentation of habitats due to intensive forest management. There are no major threats related to invasive species.</p> <p>Prior issuing a felling permit, the existence of protected habitats and species is checked by the Environmental Board.</p> <p>The law requires that all forest operations are planned and implemented in accordance with the requirements of the Regulations on forest cuttings. These include requirements for protection of nesting places of rare and endangered bird species, as well as requirements to leave trees and dead wood for biodiversity protection.</p> <p>The only issue in connection with this HCV category brought during the stakeholder meeting by one organization is that isolation of the Siberian flying squirrel is an issue in</p> | | <p>Low risk</p> <p>Threshold (7) is met: HCV 1 is identified and/or its occurrence is likely in the area under assessment, but it is effectively protected from threats from management activities.</p> |

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| | | <p>Estonia, as small subpopulations it results in low breeding success and genetic depression. There are many special species protection areas designated for the flying squirrel, but they are like small islands in the intensively managed forest landscape. The clear-cut areas are major distribution barriers for the flying squirrel; therefore it is essential that the forest management activities are planned taking flying squirrel spread corridors into account. After the stakeholder consultation (18.05.16 http://www.envir.ee/et/uudised/keskkonnaminister-algatas-lendorava-uute-pusielupaikade-moodustamise) Ministry of Environment started the process of creating new and changing current flying squirrel habitats. According to the statistic provided by the Ministry of Environment, the protection areas for flying squirrel will totally cover over 6000 ha, 1/3 of this area will be special management zones and 2/3 limited management zones. This included also the spread corridors between the existing habitats. The new protection areas will also cover majority of the habitats with needed spread corridors. According to the main flying squirrel expert Uudo Timm, the most important corridors will be covered with the new protection regime. As stated in the legislation, Board of Environment can't issue felling permit to planned protection areas in case there is a threat that the activity will change the situation for the species worse. Therefore, technically the new protection regime is effective now at the beginning of planning process. At the time of making this risk assessment adjustments, the planned protection areas (including spread corridors) were available in EELIS database.</p> <p>The Environmental Inspectorate and the Environmental Board are responsible for controlling the fulfillment of these laws. The Environmental Inspectorate determines sanctions where violations are discovered.</p> <p>According to the statistics provided by the Environmental Inspectorate 938 sites were controlled during 2012 and 990 were controlled during 2013. The number of violations related to protected sites and species in 2012 was three and in 2013, two.</p> <p>Representatives of the Environmental Inspectorate confirmed that the protection system is functioning well and there is no major risk in this area. The violations which have been detected in the previous two years are small scale cases where people have accidentally crossed borders of protected species protection zones and cut down some trees there. According to the information above the risk is considered low for this indicator.</p> | | |
| 3.2 HCV 2 | 1 – 6 | <p>Historical land use and forestry practices resulted that majority of present forests in Estonia are semi-natural ecosystems with small insertions of close to natural forests stands. Surveys show that in last centuries all Estonian forests were under various management activities varying from extensive to very intensive forestry with land use change. In 1970s forestry practices were suspended in other valuable forests on account of creation of protection areas that contain nature reserves.</p> | | <p>Low risk</p> <p>Threshold (11) is met: HCV 2 is identified and/or its occurrence is likely in the area under assessment,</p> |

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| | | <p>There are areas of UNESCO world heritage, Ramsar convention and Baltic Sea protection areas according to HELCOM convention designated in Estonia. Other important for biodiversity landscape large include valuable forests in national parks, regional parks and biosphere reserve.</p> <p>HCV 2 in Estonia – large woodland territories: UNESCO world heritage sites, Ramsar sites, forests in strict nature reserves, biosphere reserves, reserves of national or regional parks.</p> <p>All of them are managed, according to Nature Conservation Act, under nature management plans or not managed at all. Currently there is no evidence, that remaining important large scale forests are impacted by forestry practices.</p> <p>Majority of important landscape level ecosystems are designated as strict nature reserves or biosphere reserves in national level. There is no evidence of management activities in these areas.</p> | <p>but it is effectively protected from threats caused by management activities.</p> |
| 3.3 HCV 3 | 1 – 5, 8, 16 | <p>HCV 3 in Estonia: Natura 2000 sites, Woodland key habitats, forest habitat types listed in the Habitat Directive.</p> <p>Currently in Estonia there are no virgin forests. However, according to the latest statistical forest inventory data, 2.4% of Estonian forests (more than 50 000 ha) are considered to be natural forests with very little human impact. These natural forests are scattered in the landscape in small patches and in 2012 only around 50% of these forests were situated in nature reserves and, in addition, some of them are estimated to be inventoried as Woodland Key Habitats. In comparison, the total felling area in 2014 was estimated to be more than 130 000 ha and there was 18% growth compared to 2013, mostly in private forests, which are largely not certified and thus potential sources for controlled wood. Therefore, management activities cannot be assessed as low risk to these forests, especially in the situation where yearly felling volume increases.</p> <p>In Estonia there are 12 164 Woodland Key Habitats (WKH, defined in the legislation as areas of up to seven hectares, which need protection outside a protected area and where the probability of the occurrence of narrowly adapted, endangered, vulnerable or rare species is high) mapped, covering 21343,9 ha. In state forests there are 8232 WKHs mapped, covering 16306,8 ha and in private forests there are 3932 WKHs mapped, covering 5307,1 ha. Nevertheless, during stakeholder workshop, consultations and National Forest Stewardship Standard development process, it has been pointed out</p> | <p>Specified risk.</p> <p>Threshold (17) is met: HCV 3 is identified and/or its occurrence is likely in the area under assessment and it is threatened by forest management activities</p> |

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| | | <p>by several HCV experts, that only around 50% of the WKHs were mapped during the inventory which took place in 1999-2002. Moreover, only areas with forest inventory data were inventoried, since the areas were selected according to the inquiry based on that data. Although the process to map new sites is present and working, it is not systematic. Representative samples of natural forest habitats and valuable ecosystems are surveyed, identified and protected under Habitats directive (Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora) and designated as Natura 2000 sites. According to the statistical forest inventory data around 11,2% of Estonian forests correspond to forest habitat types listed in the Habitat Directive. 40% out of these forests are situated in nature reserves. The poor quality of knowledge on Habitat directive forest site types has been thoroughly analyzed by the State Audit Centre in 2008. According to this analysis, the exact distribution of these forests is not known and the risks from current forest management activities are also unknown. Therefore, the risk cannot be assessed as low, especially in the situation where yearly felling volume increases.</p> <p>Management activities in the high conservation value forests is regulated by Nature Conservation Act, Forest Act and related acts and regulations. It is to be noted that it is allowed to cut down WKH by legislation, since according to the Estonian legislation protection of WKHs is optional for private forest owners. Owner can sign a contract with state and protect the WKH. In this case the state pays compensation to the owner for protecting the WKH and the owner is prohibited from cutting it down and from conducting any other management activities in the WKH. In Estonia state has signed 221 such contracts covering 407 ha. If private forest owners don't want to protect the WKH then it is allowed to cut it. For the mapped WKHs it is possible to determine the location of the WKH in Public Forest Registry and in case felling permit is issued it is possible to see if the material is cut from WKH or not. In case the felling is done without felling permit (it is allowed to do very small scale sanitary cutting without felling permit) then on site-visit is the only way to see if the WKH is untouched or not.</p> <p>The Environmental Inspectorate confirmed that the protection system is functioning well and there is no major risk with mapped sites. The violations which have been detected in the previous two years are small scale cases where people have accidentally crossed borders of protected species protection zones and cut down some trees there.</p> <p>According to the Environmental Agency and the Ministry of Environment, in the last years there have been felling permits issued for 2-2,5% of the area of WKH that is not covered with WKH contracts (meaning these WKH that are not protected, rest that have contracts are protected and state is paying compensation for these owners) in private forest, per one year. It must be said that not all forest covered with felling permits will be</p> | | |
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| | | <p>cut down but the amount is still high compared to the total amount of WKH without WKH contract since owners can cut down these forests at any time and when issuing a felling permit person has an intention to conduct the cutting.</p> <p>In conclusion, the distribution of a high proportion of HCV 3 in Estonia (forest habitat types listed in the Habitat Directive and WKH) is not known and the risks from current forest management activities are also unknown. Therefore, this indicator cannot be assessed as low risk.</p> | | |
| 3.4 HCV 4 | 1 – 7 | <p>These forest types (water protection forests around different water bodies, flooding and erosion protection forests) present many occurrences across the country (these are present all around the country where there are different water bodies, objects and soils that need protection).</p> <p>Potential threats are related to cutting down these forests and felling works in protection zones of the forest types mentioned above. This may potentially result to reduction of water quality. There are risks but as mentioned below the risk is evaluated low.</p> <p>The forest management actions in water protection zone, coast and waterside protection zone and on vulnerable soils are regulated by Water Protection Act, Nature Conservation Act, Forest Act and related acts. The Environmental Inspectorate is responsible for constantly controlling fulfilment of these laws.</p> <p>According to the statistics provided by the Environmental Inspectorate statistics 938 sites were controlled during 2012 and 990 were controlled during 2013. The number of violations related to environmental requirements in 2012 was 22 and in 2013, 14. This statistic includes also aspects mentioned in this indicator. A meeting with representatives of the Environmental Inspectorate confirmed that the protection system of forests mentioned in this indicator is functioning well and there is no major risk in these forest types. The violations have been detected are small scale, for example: some soil damage or small scale cuttings in water protection zones. There is no major difference in compliance between the state forest and private forest. When violations are detected in the state forest, the damage is rectified much more quickly.</p> <p>It was also concluded in stakeholder meeting that there are no major issues related to HCV 4 forests. This can be considered as non-government source since that meeting included specialists from wide range of non-governmental organizations.</p> | | <p>Low risk</p> <p>Threshold (21) is met: HCV 4 is identified and/or its occurrence is likely in the area under assessment, but it is effectively protected from threats caused by management activities.</p> |

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| | | From the governmental and non-governmental sources of information it can be concluded that the risk is low. | |
| 3.5 HCV 5 | 2 – 6, 9, 16 | <p>There are local communities strictly related to specific regions in Estonia, such as the Seto people, Haani people, Võro people, Kihnu people, Mulgi people, etc. Additionally, there are national minorities (traditional communities) such as Russians, Finnish and other.</p> <p>The main activities of local communities in the forest are related to recreation, and mushroom and berry picking. These activities are important for many people for leisure or perquisite income.</p> <p>The right to get free access to the forests is guaranteed in the Constitution of the Republic of Estonia, Forests Act and other legal acts. With a few exceptions, all forests are available for berries and mushroom picking. Exceptions include only the nature reserves and restrictions during the time when there is a high risk of forest fires.</p> <p>Forest management does not play a significant role in relation to community activities, because the Estonian forest cover is more than 50% and various succession stage forests are available in the landscape.</p> <p>The mentioned activities are not fundamental for satisfying the basic necessities of local communities. There are no communities in Estonia that obtain resources from the forest on which they are critically dependent. Therefore, HCV 5 is not considered to be present in Estonia.</p> | <p>Low risk</p> <p>Threshold (23) is met: There is no HCV 5 identified and its occurrence is unlikely in the area under assessment.</p> |
| 3.6 HCV 6 | 1, 4, 5, 9, 11, 16 | <p>The forests containing cultural or archeological areas or cultural, historical or religious objects are in private owned and in state owned forests. Such places are managed according to various different regulations and management plans. Historical places are under supervision of National Heritage Board, urban forests and parks are managed by municipalities.</p> <p>All known objects or areas of value regarding HCV should be recorded in EELIS database and, if any new information is mapped or registered, it is inserted to the database by specialists of National Heritage Board who will evaluate the objects. During the stakeholder workshop it was admitted that there is a gap between known objects and registering them to the database, due to capacity reasons, thus even the identified values are not always protected, since the information is not available for forest managers.</p> | <p>Specified risk</p> <p>Threshold (30) is met: HCV 6 is identified and/or its occurrence is likely in the area under assessment and it is threatened by management activities.</p> |

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| | | <p>Single cultural objects are protected according to the Nature Conservation Act or Heritage Conservation Act. Where possible the forest containing the objects mentioned above are added to protected areas or the object is given a status of a single protected cultural objects, together with protection zone.</p> <p>According to FSC Estonia, based on stakeholder and expert feedback, the insufficient inventory and mapping of these sites is a problem. Although State Forest Management Centre has carried out a survey for cultural values, it has been underlined by the stakeholders, that while the study did map a lot of values, the methodology used was not compatible to map the sacred natural sites and even not for all other cultural values. Furthermore, sacred natural sites as such are currently not formally identified as a conservation value as such within Estonian legislation. Therefore the protection of even the identified and formally protected sites is vague and not as sacral objects but as archeological (material) or environmental objects. Often the protection covers only a part of the site, for example an offering stone or a stream in a sacred forest, or the information about the protected sites is not reaching the people carrying out the procedures to issue felling permits, let alone forest workers, therefore felling in these sites is often done with the approval of Environmental Board and local municipalities.</p> <p>The assessment of more than 4400 un-inventoried sites, out of which around 2200 un-inventoried sites could be in forest land, given by the stakeholders during various events and meetings is clearly worrisome as the estimation is that out of the currently mapped 700 sites, around 500 are protected to some extent and out of those around 250 sites are in forest. This means that the currently mapped and protected sites in the forest are just a bit more than 10% of the potential sites present. The situation is a little better with the cross-trees, which are a part of funeral traditions in South-Eastern Estonia, as an estimated 50% of these are mapped. The trees and the tradition are unique in the whole world, since it is factually the only place, where these trees are still present and living and the tradition is still actively practiced.</p> <p>Information about damaging protected objects from National Heritage board was requested and 6 cases were presented. However, it is known that not all the violations end up being reported or discovered. Taking into account that there are major gaps in the knowledge, it is safe to say that, if the values were mapped properly, the number of incidents would also be higher, since currently most of the possible violations remain undocumented. At the same time, according to consulted stakeholders, there are several cases each year and not only with the sacred natural sites, but also with the cross-trees, which have been mapped to a better extent and there is a public database and map available. Considering that the annual felling volume and the related area is increasing yearly, the risk to damage the values is also increasing due to poor data available.</p> | | |
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Recommended control measures

| Indicator | Recommended control measures |
|-----------|------------------------------|
| 3.0 | N/A |
| 3.1 HCV 1 | N/A |
| 3.2 HCV 2 | N/A |
| 3.3 HCV 3 | No recommendations provided. |
| 3.4 HCV 4 | N/A |
| 3.5 HCV 5 | N/A |
| 3.6 HCV 6 | No recommendations provided. |

Information sources

| No. | Source of information | Relevant HCV category and indicator |
|-----|--|-------------------------------------|
| 1 | HCV Inventory Data from EELIS database. Eesti Looduse Infosüsteem (www.eelis.ee) | 3.1, 3.2, 3.3, 3.4 |
| 2 | Public forest registry. Avalik metsaregister (http://register.metsad.ee/avalik/) | 3.1, 3.2, 3.3, 3.4, 3.5 |
| 3 | Forest Act (Metsaseadus. Vastu võetud 07.06.2006 RT I 2006, 30, 232, jõustumine 01.01.2007, osaliselt 01.07.2007) | 3.1, 3.2, 3.3, 3.4, 3.5 |
| 4 | Nature Conservation Act - (Looduskaitseadus Vastu võetud 21.04.2004, RT I 2004, 38, 258, jõustumine 10.05.2004) | 3.1, 3.2, 3.3, 3.4, 3.5 |
| 5 | Answer to NEPCons request by Environmental Inspectorate (05.05.2014 nr -J-6-4/235-2) | 3.1, 3.2, 3.3, 3.4, 3.5, 3.6 |
| 6 | General Principles of the Law of the Environmental Code (Keskkonnaseadustiku üldosa seadus. Vastu võetud 16.02.2011, RT I, 28.02.2011, 1 jõustumine 01.08.2014, osaliselt 01.01.2015 ja 01.08.2017) Regulates "everymans right" and collects different relevant requirements from different laws. Chapter 4, part 2 - Right to use not owned land or water body. | 3.5 |
| 7 | Water Protection Act (Veeseadus. Vastu võetud 11.05.1994, RT I 1994, 40, 655, jõustumine 16.06.1994) | 3.4 |
| 8 | Statistics about issued felling permits in WKH from Environmental Agency | 3.3, 3.4 |
| 9 | Maa-amet cultural objects database https://register.muinas.ee/public.php?menuID=monument | 3.6, 3.5 |
| 10 | Chief specialist of species protection from Environmental board | 3.1 |

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| 11 | List of violations related to Natural Sacred Grounds registered by National Heritage Board | 3.6 |
| 12 | Statistics about the protection of flying squirrel in Estonia (by Environmental Ministry http://www.envir.ee/sites/default/files/news-related-files/lendorava_kaitse_eestis.pdf) | 3.1 |
| 13 | Yearbok Forest 2014, Environmental Agency, 2016 (http://www.digar.ee/id/nlib-digar:277118) | 3.3 |
| 14 | Ülevaade Eesti metsandusest 2009-2011. Eestimaa Looduse Fond, 2012 (https://issuu.com/elfond/docs/metsaraamat) | 3.3 |
| 15 | Väärtuslike metsa-elupaikade kaitse Natura 2000 võrgustiku aladel. Riigikontrolli aruanne Riigikogule, 2008 (http://www.digar.ee/arhiiv/et/download/104664) | 3.3 |
| 16 | FSC Estonia (information provided based on stakeholder feedback) | 3.1, 3.2, 3.3, 3.4, 3.5, 3.6 |
| 17 | Interview with Environmental Inspectorate representatives (Aavo Sempelson, Manager of Nature Conservation Department and Uno Luht, Senior Inspector of Nature Conservation Department) on 29.09.2014 | 3.1, 3.2, 3.3, 3.4, 3.5, 3.6 |

Controlled wood category 4: Wood from forests being converted to plantations or non-forest use

Risk assessment

| Indicator | Source of information | Functional scale | Risk designation and determination |
|-----------|---|------------------|---|
| 4.1 | <p>Nature Conservation Act - (Looduskaitseeadus Vastu võetud 21.04.2004, RT I 2004, 38, 258, jõustumine 10.05.2004) Chapter 3 - Organisation of protection, chapter 11.</p> <p>Forest Act - (Metsaseadus. Vastu võetud 07.06.2006 RT I 2006, 30, 232, jõustumine 01.01.2007, osaliselt 01.07.2007) Chapter 4 - Forest management, chapter 7 - Final provision § 32 that indicates under which conditions it is allowed to convert forest land</p> <p>Planning Act - (Planeerimiseadus. Vastu võetud 13.11.2002 RT I 2002, 99, 579, jõustumine 01.01.2003) Chapter 1 - General provisions, chapter 2 - Types of plannings, chapter 3 - Preparation of spatial plans and participation of the public in such preparation</p> <p>State legal acts database - Riigi Teataja (www.riigiteataja.ee)</p> | Country | <p>Assessment based on legality</p> <p>Content of law</p> <p>Conversion is regulated by Forest Act and related acts listed in applicable laws and regulations column.</p> <p>Forest Act: § 32. Deforestation (1) Deforestation means the cutting that is done in order to enable the use of land for purposes other than silviculture. (2) Deforestation is carried out: [RT I 2008, 56, 314 – entry into force 01.01.2009] 1) [Repealed – RT I 2008, 56, 314 – entry into force 01.01.2009] 2) for the purpose of compliance with the requirements established for the maintenance of a construction works having a protection zone and maintenance of the protection zone of the construction works on the basis of building design documentation or on the basis of an operational plan of the electrical installation if the preparation of a detailed plan is not mandatory; [RT I, 23.03.2015, 4 – entry into force 01.07.2015] 3) [Repealed – RT I, 11.12.2013, 1 – entry into force 01.01.2014] 4) on the basis of other valid design documentation, maintenance schedule or document arising from legislation which serves as the basis for the use of land for purposes other than forest management. [RT I 2008, 56, 314 – entry into force 01.01.2009]</p> <p>Permission for conversion is issued by the Environmental Board and controlled by the Environmental Inspectorate. The decision is made by the local government who must check if the conversion is not in conflict with the local plan or the county plan and they must also take account local peoples opinion. In all cases there must be a written permission to conduct conversion of forest, it is not allowed to convert forest without legal permission.</p> <p>Is the law enforced?</p> |

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| <p>Yearbook Forest 2016 - Forest statistics about Estonia, produced by Environmental Agency (Available at http://www.keskkonnaagentuur.ee/sites/default/files/mets2016_08.08.pdf)</p> <p>FAO (2014). Global Forest Resources Assessment 2015 – Country Report Estonia (Available at http://www.fao.org/3/a-az208e.pdf)</p> <p>Interview with Environmental Inspectorate representatives (Aavo Sempelson, Manager of Nature Conservation Department and Uno Luht, Senior Inspector of Nature Conservation Department) on 29.09.2014</p> <p>Answer to NEPCons request by Environmental Inspectorate (05.05.2014 nr - J-6-4/235-2)</p> | | | <p>On a range from -2.5 to + 2.5 Estonia gets a score of 1.1 on control of corruption, and 1.2 on Rule of law according to the World Bank Worldwide Governance Indicators. Estonia has a CPI of 69 according to Transparency International, and thus ranks above average these parameters.</p> <p>There is no indications that the law on conversion is not enforced, and the scores from the World Bank and Transparency International support the conclusion that the legislation is enforced.</p> <p>During the meeting with Environmental Inspectorate (29.09.2014) (organization responsible of controlling the fulfillment of related legal acts) conversions were also discussed and according to them illegal conversion is not a major issue. Time to time some small scale violations have appeared but there is not a major problem in that field. This is also supported by overall violation statistics from Environmental inspectorate: 938 sites were controlled during 2012 and 990 were controlled during 2013. The number of violations related to environmental requirements in 2012 was 22 and in 2013, 14. This statistic includes also aspects mentioned in this indicator.</p> <p>It is concluded that legislation is effectively enforced.</p> <p>Is it possible to conclude that the spatial threshold (0.02% or 5000 ha) is met by assessing the enforcement of legislation?</p> <p>No, the applicable legislation is not sufficient to assess this indicator with the legally-based thresholds. As conversion is allowed in some circumstances, it is not possible to conclude that the spatial threshold can be met by assessing the enforcement of legislation.</p> <p>Assessment based on spatial data</p> <p>As the law does not prohibit conversion to the level of the indicator the following spatial analysis has been undertaken:</p> <ul style="list-style-type: none"> - According to information provided by FSC Estonia, representatives of the Ministry of the Environment of Estonia state that precise data is available from the Environmental Agency in Estonia, from which it can be concluded that the average forestation during the period of 2010-2014 was 350 ha/year and deforestation 950 ha/year. The data regarding forestation refers only to forest cover increase by human activities, whether direct or indirect, on land registered not as forest. In addition there is also natural forestation happening, for instance that of the out-of-use grasslands. This means that the annual net forest loss during that period was maximum 600 ha/year. - According to representatives of the Environmental Inspectorate no large scale conversion of forest lands is taking place in Estonia and large scale conversions are not possible due to different legislation. |
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| | | | <p>- The total area of land which could be defined as forest (either by land use type in the cadaster or by the Forest Act) is increasing in Estonia according to the statistics presented in the Yearbook Forest 2016 (table 1.4.1.1).</p> <p>- A low risk designation is also supported by FSC Estonia and by the spatial data provided in the FAO Global Forest Resource 2015 for Estonia.</p> <p>Is it possible to conclude that the spatial threshold (0.02% or 5000 ha) is met?</p> <p>According to the spatial data provided above, conversion of natural forests to plantations or non-forest use in the area under assessment is below the threshold of 0.02% or 5000 hectares average net annual loss.</p> <p>Risk designation: Low risk. Thresholds (1) and (3) are met: Thresholds provided in the indicator are not exceeded; AND Other available evidence do not challenge a 'low risk' designation.</p> |
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Recommended control measures

N/A

Controlled wood category 5: Wood from forests in which genetically modified trees are planted

Risk assessment

| Indicator | Sources of information | Functional scale | Risk designation and determination |
|-----------|---|------------------|---|
| 5.1 | <p>The regions for forest regeneration material allowed to be used in Estonia (Eestis metsa kultiveerimisel kasutada lubatud kultiveerimismaterjali algmaterjali päritolupiirkonnad) https://www.riigiteataja.ee/akt/115042011002</p> <p>Categories of regeneration material and quality requirements for the regeneration material. (Kultiveerimismaterjali kategooriad, kultiveerimismaterjali algmaterjalile ning kultiveerimismaterjali kvaliteedile esitatavad nõuded) https://www.riigiteataja.ee/akt/1048227?leiaKehitiv</p> <p>The Act for taking GMO-s to Environment (Geneetiliselt muundatud organismide keskkonda viimise seadus) https://www.riigiteataja.ee/akt/108072014010?leiaKehtiv</p> <p>EU Directive 1999/105/EÜ 22. december 1999, about marketing of forest regeneration material (NÕUKOGU DIREKTIIV 1999/105/EÜ, 22. detsember 1999, metsapaljundusmaterjali turustamise kohta) http://ec.europa.eu/food/plant/gmo/legislation/future_rules_en.htm</p> <p>http://ec.europa.eu/food/plant/gmo/legislation/future_rules_en.htm</p> | N/A | <p>Low risk</p> <p><i>(1) GMO use is illegal according to applicable legislation of the area under assessment AND the risk assessment for relevant indicators of Category 1 confirms that applicable legislation is enforced.</i></p> <p>The European Union Council Directive 1999/105/EC on the marketing of forest reproductive material regulates the marketing and production for marketing purposes of forest reproductive material within the Community. The directive prohibits placing genetically modified forest reproductive material on the market, unless it is safe for human health and the environment. There is a number of requirements included in the directive, including a risk assessment that must be fulfilled prior to placing any GMO on the European market.</p> <p>The Genetically Modified Organisms into the Environment Act (Geneetiliselt muundatud organismide keskkonda viimise seadus) applies to all types of organisms including forest regeneration material in Estonia. That law sets rules and conditions for using GMO-s in environment. However, the Estonian Forestry Act eliminates the chance for using GMO-s for forest regeneration as no GMO-s are included in the list of appropriate regeneration material.</p> <p>According to Environmental Inspectorate and other public sources there are no permissions given for using GMO-s in Estonian Forests.</p> <p><i>(2) There is no commercial use of GMO (tree) species in the area under assessment,</i></p> <p>There are no known commercial use nor any scientific research aiming for commercial use of genetically modified trees in Estonia. The forest selection project manager Tiit Maaten from Estonian University of Life Sciences also shared his opinion that at the moment there are no such GMO tree species developed that would be suitable for the Estonian climate and at the same time be safe for environment. In his opinion, it is unrealistic that the GMO-s will be used for forest generation in Estonia.</p> <p>AND</p> <p><i>(3) Other available evidence does not challenge 'low risk' designation.</i></p> |

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| | http://ec.europa.eu/food/plant/gmo/legislation/future_rules_en.htm | <p>There is no available evidence that challenges the low risk designation for this category. Due to the low interest and activity concerning commercial use of GMO in the forestry sector, the risk for non-compliance is considered low.</p> |
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| GMO Context Question | Answer |
|--|---|
| <p>1. Is there any legislation covering GMO (trees)?</p> | <p>There is an overall law about taking GMOs into the environment. This law is for all kind of organisms including trees. If someone wants to take GMOs into the environment then they must send an application to Ministry of Environment for review who then send it to Gene Technology Commission for review who then submit it to European Commission for final approval.</p> <p>The forestry related laws do not currently allow for the use of GMO regeneration material. There is a list of areas and types of material that may be used that currently does not include GMO materials</p> |
| <p>2. Does applicable legislation for the area under assessment include a ban for commercial use of GMO (trees)?</p> | <p>There are no such bans in Estonia but there are strict requirements for using GMOS that are related with EU legislation.</p> |
| <p>3. Is there evidence of unauthorized use of GM trees?</p> | <p>There is no evidence of using GM trees.</p> |
| <p>4. Is there any commercial use of GM trees in the country or region?</p> | <p>There is no commercial use of GM trees. In EU there is only allowed (with license) to grow GMO maize and potatoes. See the link.</p> |
| <p>5. Are there any trials of GM trees in the country or region?</p> | <p>There is no information available of any such trials.</p> |
| <p>6. Are licenses required for commercial use of GM trees?</p> | <p>There is legislation for taking GMO into environment and there are licenses and different tests required by Estonian and EU legislation. According to the information available no such permissions have been given out.</p> |
| <p>7. Are there any licenses issued for GM trees relevant for the area under assessment? (If so, in what regions, for what species and to which entities?)</p> | <p>According to Environmental Inspectorate and other public sources there are no permissions given for using GMO-s in Estonian Forests.</p> |
| <p>8. What GM 'species' are used?</p> | <p>N/A</p> |
| <p>9. Can it be clearly determined in which MUs the GM trees are used?</p> | <p>N/A</p> |

Recommended control measures

N/A